

**CS FOR SENATE BILL NO. 111(EDC)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

**BY THE SENATE EDUCATION COMMITTEE**

**Offered: 4/19/21**

**Referred: Finance**

**Sponsor(s): SENATE EDUCATION COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the duties of the Department of Education and Early Development;**  
2 **relating to public schools and school districts; relating to early education programs;**  
3 **relating to funding for early education programs; relating to school age eligibility;**  
4 **relating to reports by the Department of Education and Early Development; relating to**  
5 **reports by school districts; relating to certification and competency of teachers; relating**  
6 **to assessing reading deficiencies and providing reading intervention services to public**  
7 **school students enrolled in grades kindergarten through three; relating to textbooks and**  
8 **materials for reading intervention services; establishing a reading program in the**  
9 **Department of Education and Early Development; relating to school operating funds;**  
10 **relating to a virtual education consortium; and providing for an effective date."**

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

12 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section

1 to read:

2 SHORT TITLE. This Act may be known as the Alaska Academic Improvement and  
3 Modernization Act.

4 \* **Sec. 2.** AS 14.03.040 is amended to read:

5 **Sec. 14.03.040. Day in session.** Each day within the school term is a day in  
6 session except Saturdays, Sundays, and days designated as holidays by or according to  
7 AS 14.03.050. A school board may approve Saturdays as a day in session. The day in  
8 session in every school shall be at least four hours long, exclusive of intermissions, for  
9 the first, second, and third grades and five hours, exclusive of intermissions, for [ALL  
10 OTHER] grades **four through 12**. The commissioner may approve a shorter day in  
11 session for any grade. The period of the day in session shall be devoted to the  
12 instruction of pupils or to study periods for the pupils.

13 \* **Sec. 3.** AS 14.03.060(e) is amended to read:

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

24 \* **Sec. 4.** AS 14.03.060(e), as amended by sec. 3 of this Act, is amended to read:

25 (e) In addition to the grades enumerated in (a) of this section, an elementary  
26 school consists of an early education program [APPROVED OR] supervised by the  
27 department under AS 14.07.020(a)(8), including a program operated by a head start  
28 agency as a head start program under 42 U.S.C. 9831 - 9852c.

29 \* **Sec. 5.** AS 14.03.072(a) is amended to read:

30 (a) Each school district shall annually provide to parents and guardians of  
31 students enrolled in kindergarten through grade three in a public school in the state

1 current information on the importance of [EARLY] literacy **and early reading**,  
 2 including

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

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

6 (3) grade **progression** [RETENTION] standards and policies for the  
 7 elementary school attended;

8 (4) strategies and resources to help children learn to read;

9 **(5) a list of resources and organizations that specialize in**  
 10 **improving adult literacy.**

11 \* **Sec. 6.** AS 14.03.072(a), as amended by sec. 5 of this Act, is amended to read:

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

15 (1) culturally responsive intervention strategies [AND READING  
 16 INTERVENTION SERVICES PROVIDED UNDER AS 14.30.765];

17 (2) home reading plans;

18 (3) grade progression standards and policies for the elementary school  
 19 attended;

20 (4) strategies and resources to help children learn to read;

21 (5) a list of resources and organizations that specialize in improving  
 22 adult literacy.

23 \* **Sec. 7.** AS 14.03.078(a) is amended to read:

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

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

29 (2) progress of the department

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

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

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

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

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

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

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

13 **(8) a summary of the categories of certificated administrative**  
14 **employees employed by each school district that includes the ratio of**

15 **(A) the number of certificated administrative employees in**  
16 **each category employed by each school district compared to the number**  
17 **of students enrolled in the school district on October 1 of the previous**  
18 **year;**

19 **(B) the total number of certificated administrative**  
20 **employees employed by each school district compared to the total number**  
21 **of teachers employed by the school district on October 1 of the previous**  
22 **year; and**

23 **(C) the total number of teachers employed by each school**  
24 **district compared to the total number of students enrolled in the school**  
25 **district on October 1 of the previous year;**

26 **(9) the progress made to implement the reading intervention**  
27 **programs established under AS 14.30.760 - 14.30.775, including data on how**  
28 **school districts are using in-service days for culturally responsive professional**  
29 **development in reading instruction; and**

30 **(10) the effectiveness and participation rates of the parents as**  
31 **teachers program established under AS 14.03.420, including measures of**

1        **efficiency and effectiveness that demonstrate the effects of the program on school**  
 2        **readiness.**

3        \* **Sec. 8.** AS 14.03.078(a), as amended by sec. 7 of this Act, is amended to read:

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

8                        (1) information described under AS 14.03.120;

9                        (2) progress of the department

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

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

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

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

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

20                        (6) a description of intervention efforts by each school district and  
 21        school for students who are not meeting state performance standards;

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

24                        (8) a summary of the categories of certificated administrative  
 25        employees employed by each school district that includes the ratio of

26                                (A) the number of certificated administrative employees in  
 27        each category employed by each school district compared to the number of  
 28        students enrolled in the school district on October 1 of the previous year;

29                                (B) the total number of certificated administrative employees  
 30        employed by each school district compared to the total number of teachers  
 31        employed by the school district on October 1 of the previous year; and

1 (C) the total number of teachers employed by each school  
 2 district compared to the total number of students enrolled in the school district  
 3 on October 1 of the previous year [;

4 (9) THE PROGRESS MADE TO IMPLEMENT THE READING  
 5 INTERVENTION PROGRAMS ESTABLISHED UNDER AS 14.30.760 - 14.30.775,  
 6 INCLUDING DATA ON HOW SCHOOL DISTRICTS ARE USING IN-SERVICE  
 7 DAYS FOR CULTURALLY RESPONSIVE PROFESSIONAL DEVELOPMENT IN  
 8 READING INSTRUCTION; AND

9 (10) THE EFFECTIVENESS AND PARTICIPATION RATES OF  
 10 THE PARENTS AS TEACHERS PROGRAM ESTABLISHED UNDER  
 11 AS 14.03.420, INCLUDING MEASURES OF EFFICIENCY AND  
 12 EFFECTIVENESS THAT DEMONSTRATE THE EFFECTS OF THE PROGRAM  
 13 ON SCHOOL READINESS].

14 \* **Sec. 9.** AS 14.03.078 is amended by adding new subsections to read:

15 (c) Each school district shall make available to the public the portion of the  
 16 report under (a)(8) of this section that pertains to the school district by posting the  
 17 information in a prominent location on the school district's or local community's  
 18 Internet website or by another easily accessible method.

19 (d) In this section, "administrative employee" means an employee who does  
 20 not provide direct classroom instruction for students as a regular part of the  
 21 employee's job.

22 \* **Sec. 10.** AS 14.03.080(c) is amended to read:

23 (c) A child under school age **who is at least four years of age at the**  
 24 **beginning of the school year** may be admitted to a public school in the school district  
 25 of which the child is a resident at the discretion of the governing body of the school  
 26 district if the child meets minimum standards prescribed by the board evidencing that  
 27 the child has the mental, physical, and emotional capacity to perform satisfactorily for  
 28 the educational program being offered. A district's educational program must prescribe  
 29 that, **except for students in an early education program,** under school age students  
 30 advance through the curriculum or grade level by the following school year. A  
 31 governing body may delegate the authority granted under this subsection to the chief

1 school administrator of the school district.

2 \* **Sec. 11.** AS 14.03.080(c), as amended by sec. 10 of this Act, is amended to read:

3 (c) A child under school age [WHO IS AT LEAST FOUR YEARS OF AGE  
4 AT THE BEGINNING OF THE SCHOOL YEAR] may be admitted to a public  
5 school in the school district of which the child is a resident at the discretion of the  
6 governing body of the school district if the child meets minimum standards prescribed  
7 by the board evidencing that the child has the mental, physical, and emotional capacity  
8 to perform satisfactorily for the educational program being offered. A district's  
9 educational program must prescribe that [, EXCEPT FOR STUDENTS IN AN  
10 EARLY EDUCATION PROGRAM,] under school age students advance through the  
11 curriculum or grade level by the following school year. A governing body may  
12 delegate the authority granted under this subsection to the chief school administrator  
13 of the school district.

14 \* **Sec. 12.** AS 14.03.080 is amended by adding a new subsection to read:

15 (g) A child who is five years of age on or before September 1 following the  
16 beginning of the school year, and who is under school age, may enter a public school  
17 kindergarten.

18 \* **Sec. 13.** AS 14.03.120 is amended by adding a new subsection to read:

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

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

24 (2) the number and percentage of students

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

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

31 (C) in grades kindergarten through three who did not progress

1 to the next grade and the reasons the students did not progress;

2 (D) in grade three who demonstrated sufficient reading skills to  
3 progress to grade four based on the statewide screening or assessment tool;

4 (E) in grade three who progressed to grade four based on a  
5 waiver under AS 14.30.765(f);

6 (F) in grade three who progressed to grade four based on a  
7 good cause exemption under AS 14.30.765(h);

8 (G) in grade three who demonstrated sufficient reading skills to  
9 progress to grade four based on an alternative standardized reading screening  
10 or assessment;

11 (H) in grade three who demonstrated sufficient reading skills to  
12 progress to grade four based on a student reading portfolio;

13 (3) the performance on the statewide screening or assessment tool of  
14 students in a grade above grade three who did not progress to grade four or who  
15 progressed to grade four based on a waiver under AS 14.30.765(f) or a good cause  
16 exemption under AS 14.30.765(h).

17 \* **Sec. 14.** AS 14.03 is amended by adding new sections to read:

18 **Article 4. Early Education.**

19 **Sec. 14.03.410. Early education programs; grants.** (a) The department shall  
20 provide training and assistance to develop and improve district-wide early education  
21 programs that comply with standards adopted by the board under AS 14.07.165(a)(5).  
22 The department shall assess district-wide early education programs and approve  
23 programs that comply with the standards adopted by the board under  
24 AS 14.07.165(a)(5). The department may review an approved program at any time and  
25 may revoke approval of a program if the program is not in compliance with the  
26 standards adopted by the board under AS 14.07.165(a)(5).

27 (b) The department may award a grant to provide funding for a three-year  
28 period for the development or improvement of a district-wide early education program  
29 to a district that has not received a grant under this section, applies in a format  
30 prescribed by the department, and is eligible for a grant as specified under (c) of this  
31 section. Unless the legislature appropriates another amount, total grant funding



1 awarded to districts under this subsection may not exceed \$3,000,000 in a fiscal year.

2 (c) The department shall rank the performance of each district in the state in  
3 accordance with the accountability system and performance designations required  
4 under AS 14.03.123. When approving grants under (b) of this section, the department  
5 shall prioritize eligible districts with lower performance, based on the department's  
6 ranking of districts under this subsection. A district is eligible for a grant if the  
7 department determines an insufficient number of children in the district attend high  
8 quality child care programs, including head start programs, early education programs  
9 provided by a local government, and early education programs provided by child  
10 development agencies, that

11 (1) meet or exceed the standards adopted by the board under  
12 AS 14.07.165(a)(5); and

13 (2) would continue operating after development of a district early  
14 education program.

15 (d) If the department does not approve, as provided in (a) of this section, the  
16 early education program of a district awarded a grant under (b) of this section by the  
17 end of the district's three-year grant period, the department may provide a one-year  
18 remediation grant to allow the district one additional fiscal year to meet the early  
19 education program standards adopted by the board under AS 14.07.165(a)(5). If the  
20 district is unable to meet the early education program standards at the end of that fiscal  
21 year, the department may, in the discretion of the commissioner, provide an additional  
22 remediation grant to allow the district not more than one additional fiscal year to meet  
23 the standards. Nothing in this section prohibits a district from using its own funds to  
24 continue the remediation process.

25 (e) A student in an early education program may not be counted in a district's  
26 ADM under AS 14.17.500 unless the department has approved the program under (a)  
27 of this section.

28 (f) A grant under this section is subject to appropriation, but may not supplant  
29 other early education funding available to districts.

30 (g) In this section,

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

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

2 (3) "early education program" means a program, the primary function  
3 of which is educational, for children who are four and five years of age and who have  
4 not attended a public school kindergarten.

5 **Sec. 14.03.420. Parents as teachers program.** (a) The department shall  
6 design and implement a statewide parents as teachers program for the benefit of  
7 children who are under five years of age. The program must provide a system of early  
8 childhood education that

9 (1) is evidence-based;

10 (2) involves parents;

11 (3) is consistent with available research and best practices for high  
12 quality early childhood education;

13 (4) incorporates guidelines adopted by the department for early  
14 learning that

15 (A) enhance school readiness;

16 (B) increase parent understanding of child development and  
17 developmental milestones;

18 (C) reduce the incidence of child abuse and neglect;

19 (D) increase identification of health problems and  
20 developmental delays through regular screenings;

21 (E) improve child health indicators, including immunization  
22 rates; and

23 (F) increase parental involvement; and

24 (5) provides for effective and efficient coordination with or expansion  
25 of early education programs operating in the state, to the extent permitted by law.

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

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

31 \* **Sec. 15.** AS 14.07.020(a) is amended to read:

1 (a) The department shall

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

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

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

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

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

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

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

29 (8) exercise general supervision over early education programs  
30 [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding,  
31 including early education programs provided by a school district for students

1 **four and five years of age, and approve early education programs provided by a**  
2 **school district under AS 14.03.410(a);**

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

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

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

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

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

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

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

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

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

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

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

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

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

16 \* **Sec. 16.** AS 14.07.020(a), as amended by sec. 15 of this Act, is amended to read:

17 (a) The department shall

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

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

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

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

31 (5) establish, in coordination with the Department of Health and Social

1 Services, a program for the continuing education of children who are held in detention  
2 facilities in the state during the period of detention;

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

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

14 (8) exercise general supervision over early education programs that  
15 receive direct state or federal funding, including early education programs provided by  
16 a school district for students four and five years of age [, AND APPROVE EARLY  
17 EDUCATION PROGRAMS PROVIDED BY A SCHOOL DISTRICT UNDER  
18 AS 14.03.410(a)];

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 make available to any  
22 Alaskan through a centralized office a correspondence study program;

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

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

1 include educational specifications, schematic designs, projected energy consumption  
2 and costs, and final contract documents;

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

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

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

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

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

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

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

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

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

29 (18) ESTABLISH A READING PROGRAM TO PROVIDE DIRECT  
30 SUPPORT FOR AND INTERVENTION IN THE READING INTERVENTION  
31 PROGRAMS OF PARTICIPATING SCHOOLS AS DESCRIBED IN AS 14.30.765

1 AND 14.30.770].

2 \* **Sec. 17.** AS 14.07.020(c) is amended to read:

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

6 \* **Sec. 18.** AS 14.07.050 is amended to read:

7 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public  
8 schools of the state, including a district offered statewide correspondence study  
9 program, shall be selected by district boards for district schools. Nothing in this  
10 section precludes

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

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

17 \* **Sec. 19.** AS 14.07.050, as amended by sec. 18 of this Act, is amended to read:

18 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public  
19 schools of the state, including a district offered statewide correspondence study  
20 program, shall be selected by district boards for district schools. Nothing in this  
21 section precludes

22 ~~[(1)]~~ a correspondence study student, or the parent or guardian of a  
23 correspondence study student, from privately obtaining or using textbooks or  
24 curriculum material not provided by the school district [;

25 ~~(2)~~ THE DEPARTMENT FROM SELECTING AND PURCHASING  
26 SUPPLEMENTARY READING TEXTBOOKS AND MATERIALS FOR SCHOOL  
27 DISTRICTS TO SUPPORT READING INTERVENTION SERVICES PROVIDED  
28 UNDER AS 14.30.765 AND 14.30.770].

29 \* **Sec. 20.** AS 14.07.165(a) is amended to read:

30 (a) The board shall adopt

31 (1) statewide goals and require each governing body to adopt written



1 goals that are consistent with local needs;

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

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

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

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

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

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

16 (i) have satisfactorily completed a minimum of six  
17 credit hours in early childhood education or completes the  
18 minimum credit hours within one year of the date the teacher's  
19 employment with the early education program begins; or

20 (ii) have two or more years of experience teaching  
21 kindergarten or another early education program and have  
22 completed additional coursework related to reading instruction, as  
23 required by the department;

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

29 (D) accommodations for the needs of all early education  
30 children and their families regardless of socioeconomic circumstances;  
31 and

1 **(E) standards for day in session requirements appropriate**  
 2 **for children four and five years of age;**

3 **(6) regulations establishing standards for day in session**  
 4 **requirements appropriate for kindergarten students** [REPEALED].

5 \* **Sec. 21.** AS 14.07.168 is amended to read:

6 **Sec. 14.07.168. Report to the legislature.** Not later than the 30th legislative  
 7 day of each regular session of the legislature, the board shall prepare and present in  
 8 person to the legislative committees having jurisdiction over education an annual  
 9 report that describes the efforts of the board to develop, maintain, and continuously  
 10 improve a comprehensive quality public education system, as provided for under the  
 11 bylaws of the board. The report must include

12 (1) a summary of the resolves and rationales provided in support of  
 13 policy decisions made under AS 14.03.015;

14 (2) program and curriculum changes made, discussed, or  
 15 recommended in meetings held under AS 14.07.125;

16 (3) additional information relevant to efforts made to improve and  
 17 maintain the public education system;

18 **(4) a summary of implementation and utilization of the consortium**  
 19 **established under AS 14.30.800, including a review of consortium effectiveness**  
 20 **and the participation rates of districts, teachers, and students.**

21 \* **Sec. 22.** AS 14.07.168, as amended by sec. 21 of this Act, is amended to read:

22 **Sec. 14.07.168. Report to the legislature.** Not later than the 30th legislative  
 23 day of each regular session of the legislature, the board shall prepare and present in  
 24 person to the legislative committees having jurisdiction over education an annual  
 25 report that describes the efforts of the board to develop, maintain, and continuously  
 26 improve a comprehensive quality public education system, as provided for under the  
 27 bylaws of the board. The report must include

28 (1) a summary of the resolves and rationales provided in support of  
 29 policy decisions made under AS 14.03.015;

30 (2) program and curriculum changes made, discussed, or  
 31 recommended in meetings held under AS 14.07.125;

1 (3) additional information relevant to efforts made to improve and  
2 maintain the public education system [;

3 (4) A SUMMARY OF IMPLEMENTATION AND UTILIZATION  
4 OF THE CONSORTIUM ESTABLISHED UNDER AS 14.30.800, INCLUDING A  
5 REVIEW OF CONSORTIUM EFFECTIVENESS AND THE PARTICIPATION  
6 RATES OF DISTRICTS, TEACHERS, AND STUDENTS].

7 \* **Sec. 23.** AS 14.07.180(a) is amended to read:

8 (a) Notwithstanding any other provision of law, the board shall establish  
9 standards and a procedure for the review, ranking, and approval of mathematics and  
10 English and language arts curricula for school districts to use in each grade level as  
11 provided in this section. The board may include curricula delivered through virtual  
12 education in the standards and procedure established under this subsection. **Standards**  
13 **established for the review, ranking, and approval of language arts curricula for**  
14 **early education programs and grades kindergarten through three must be based**  
15 **on phonemic awareness, phonics, vocabulary development, reading fluency, oral**  
16 **language skills, and reading comprehension.**

17 \* **Sec. 24.** AS 14.14.115(a) is amended to read:

18 (a) To encourage cooperative arrangements between school districts **and**  
19 **between school districts and private businesses, nonprofit organizations, or**  
20 **government agencies** to provide more efficient or economical administrative or  
21 educational services, a school district may receive a one-time cooperative arrangement  
22 grant from the department of up to \$100,000. **The department shall ensure that**  
23 **grant funds provided to districts under this section do not provide direct benefit**  
24 **to private educational institutions.**

25 \* **Sec. 25.** AS 14.17.500 is amended by adding new subsections to read:

26 (d) Except as provided in (e) and (f) of this section, a student in a district-wide  
27 early education program provided by a school district and approved by the department  
28 under AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

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

1 (f) A school district may not include in a school's ADM students who are four  
 2 and five years of age if inclusion of the students would result in an increase of total  
 3 state aid attributable to district-wide early education programs approved under  
 4 AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department  
 5 shall prioritize the funding of district-wide early education programs, giving priority to  
 6 school districts with lower performance, based on the department's ranking of districts  
 7 under AS 14.03.410(c). When the number of students in a district-wide early  
 8 education program will result in an increase of total state aid attributable to district-  
 9 wide early education programs approved under AS 14.03.410 of more than \$3,000,000  
 10 from the previous fiscal year, the department may identify the amount, up to  
 11 \$3,000,000, available for the district's district-wide early education program.

12 \* **Sec. 26.** AS 14.17.500(d), enacted by sec. 25 of this Act, is amended to read:

13 (d) **A school district may not include in the school's ADM** [EXCEPT AS  
 14 PROVIDED IN (e) AND (f) OF THIS SECTION,] a student in a district-wide early  
 15 education program provided by **the** [A SCHOOL] district [AND APPROVED BY  
 16 THE DEPARTMENT UNDER AS 14.07.020(a)(8) IS COUNTED AS ONE-HALF  
 17 OF A FULL-TIME EQUIVALENT STUDENT].

18 \* **Sec. 27.** AS 14.17.505 is amended to read:

19 **Sec. 14.17.505. Fund balance in school operating fund.** (a) A district may  
 20 not accumulate in a fiscal year an unreserved portion of its year-end fund balance in its  
 21 school operating fund, as defined by department regulations, that is greater than **25**  
 22 [10] percent of its expenditures for that fiscal year, **unless the department approves**  
 23 **a district plan to use the fund balance that is greater than 25 percent of its**  
 24 **expenditures for that fiscal year.**

25 (b) The department shall review each district's annual audit under  
 26 AS 14.14.050 for the preceding fiscal year to ascertain its year-end operating fund  
 27 balance. The amount by which the unreserved portion of that balance exceeds the  
 28 amount permitted in (a) of this section, **or (c) of this section if the district is eligible,**  
 29 shall be deducted from the state aid that would otherwise be paid to the district in the  
 30 current fiscal year.

31 \* **Sec. 28.** AS 14.17.505 is amended by adding a new subsection to read:

1 (c) The department may approve a plan to allow a district to accumulate funds  
2 greater than 25 percent of the district's expenditures for that fiscal year if

3 (1) the excess funds are not the result of reduced direct instruction  
4 costs;

5 (2) the department determines that the district has requested a  
6 reasonable period of time to use the excess funds; and

7 (3) the department determines that the proposed use of the excess  
8 funds will cause meaningful improvement to student education outcomes.

9 \* **Sec. 29.** AS 14.17.905(a) is amended to read:

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

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

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

16 (A) one elementary school, which includes those students in  
17 grades kindergarten through six **and, except as provided in AS 14.17.500, in**  
18 **an early education program provided by a school district and approved by**  
19 **the department under AS 14.07.020(a)(8)**; and

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

22 (3) in a community with an ADM of greater than 425, each facility that  
23 is administered as a separate school shall be counted as one school, except that each  
24 alternative school with an ADM of less than 175 shall be counted as a part of the  
25 school in the district with the highest ADM.

26 \* **Sec. 30.** AS 14.17.905(a), as amended by sec. 29 of this Act, is amended to read:

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

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

31 (2) a community with an ADM of at least 101, but not more than 425,

1 shall be counted as

2 (A) one elementary school, which includes those students in  
3 grades kindergarten through six [AND, EXCEPT AS PROVIDED IN  
4 AS 14.17.500, IN AN EARLY EDUCATION PROGRAM PROVIDED BY A  
5 SCHOOL DISTRICT AND APPROVED BY THE DEPARTMENT UNDER  
6 AS 14.07.020(a)(8)]; and

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

9 (3) in a community with an ADM of greater than 425, each facility that  
10 is administered as a separate school shall be counted as one school, except that each  
11 alternative school with an ADM of less than 175 shall be counted as a part of the  
12 school in the district with the highest ADM.

13 \* **Sec. 31.** AS 14.20.015(c) is amended to read:

14 (c) The preliminary teacher certificate issued under this section must contain  
15 the same endorsements as those on the current valid teacher certificate issued by the  
16 other state. **However, before teaching students in grades kindergarten through**  
17 **three, a teacher certificated under this section must complete coursework,**  
18 **training, or testing requirements, and demonstrate proficiency as determined by**  
19 **the department, in phonemic awareness, phonics, vocabulary development,**  
20 **reading fluency, oral language skills, and reading comprehension approved by**  
21 **the board in regulation. A teacher may apply coursework, training, or testing**  
22 **requirements completed under this subsection toward continuing education**  
23 **requirements established by the board in regulation.**

24 \* **Sec. 32.** AS 14.20.015(c), as amended by sec. 31 of this Act, is amended to read:

25 (c) The preliminary teacher certificate issued under this section must contain  
26 the same endorsements as those on the current valid teacher certificate issued by the  
27 other state. [HOWEVER, BEFORE TEACHING STUDENTS IN GRADES  
28 KINDERGARTEN THROUGH THREE, A TEACHER CERTIFICATED UNDER  
29 THIS SECTION MUST COMPLETE COURSEWORK, TRAINING, OR TESTING  
30 REQUIREMENTS IN PHONEMIC AWARENESS, PHONICS, VOCABULARY  
31 DEVELOPMENT, READING FLUENCY, ORAL LANGUAGE SKILLS, AND

1 READING COMPREHENSION APPROVED BY THE BOARD IN REGULATION.  
2 A TEACHER MAY APPLY COURSEWORK, TRAINING, OR TESTING  
3 REQUIREMENTS COMPLETED UNDER THIS SUBSECTION TOWARD  
4 CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY THE  
5 BOARD IN REGULATION.]

6 \* **Sec. 33.** AS 14.20.020(i) is amended to read:

7 (i) A [BEGINNING ON JULY 1, 1998, A] person is not eligible for an initial  
8 regular teacher certificate unless the person has taken and successfully completed a  
9 competency examination or examinations designated, at the time the person took the  
10 test, by the board. The board shall review nationally recognized examinations that are  
11 designed to test the competency of new teachers and shall designate those  
12 examinations that it finds adequately test the skills and abilities of new teachers. For  
13 each examination designated under this subsection, the board shall establish the  
14 minimum acceptable level of performance, **including a passing score. The board**  
15 **shall reevaluate the passing score for a competency examination at least once**  
16 **every five years and shall review each examination designated by the board at**  
17 **least once every three years. The board shall prioritize the review of those**  
18 **examinations for which the minimum passing score deviates the most from the**  
19 **mean passing score adopted by other jurisdictions. When reevaluating a passing**  
20 **score for a competency examination, the board shall consider the historical effect**  
21 **of the established passing score, the potential effect of changing the passing score,**  
22 **and the passing score currently used for the examination by other jurisdictions.**  
23 **The board may allow a teacher who passed a comparable competency**  
24 **examination required by another jurisdiction to use a score from the other**  
25 **jurisdiction to satisfy the competency examination requirements under this**  
26 **subsection. The board shall adopt regulations to implement this subsection. A**  
27 **regulation that changes the passing score on a competency examination takes**  
28 **effect on the date that is one year after the date the board adopts the regulation,**  
29 **or a later date prescribed by the board. In this subsection, "competency**  
30 **examination" includes a basic competency examination with components in**  
31 **reading, writing, and mathematics and a subject area examination that is specific**

1 **to the subject area in which the teacher will be teaching.**

2 \* **Sec. 34.** AS 14.20.020 is amended by adding a new subsection to read:

3 (l) Before teaching students in grades kindergarten through three, a teacher  
4 certificated under this section must complete coursework, training, or testing  
5 requirements in phonemic awareness, phonics, vocabulary development, reading  
6 fluency, oral language skills, and reading comprehension approved by the board in  
7 regulation. A teacher may apply coursework, training, or testing requirements  
8 completed under this subsection toward continuing education requirements established  
9 by the board in regulation.

10 \* **Sec. 35.** AS 14.30 is amended by adding new sections to read:

11 **Article 15. Reading Intervention.**

12 **Sec. 14.30.760. Statewide assessment and support.** (a) To implement the  
13 district reading intervention services established under AS 14.30.765, the department  
14 shall

15 (1) adopt a statewide screening or assessment tool to administer to  
16 students in grades kindergarten through three to identify students with reading  
17 deficiencies, including students with characteristics of dyslexia; the screening or  
18 assessment tool must evaluate

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

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

23 (C) vocabulary and oral reading fluency of students in grades  
24 two and three;

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

26 (A) administering the statewide screening or assessment tool  
27 three times each school year, once in the fall, once in the winter, and once in  
28 the spring, to all students in grades kindergarten through three, with the  
29 exception of students who demonstrate sufficient reading skills on the first  
30 screening or assessment of the school year;

31 (B) providing methods to monitor student progress;



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

3 (D) providing additional assistance as determined by the  
4 department;

5 (3) provide training to school district staff related to using the results  
6 of the statewide screening or assessment tool and understanding evidence-based  
7 reading interventions, including explicit and systematic instruction in phonemic  
8 awareness, phonics, vocabulary development, reading fluency, oral language skills,  
9 and reading comprehension;

10 (4) require that districts identify the early education programs attended  
11 by students and report to the department the average score on each performance  
12 assessment by students in grades kindergarten through three who

13 (A) attended a state-approved early education program;

14 (B) attended a Head Start program;

15 (C) attended a private early education program;

16 (D) did not attend an early education program;

17 (5) establish a process that allows the commissioner to waive, upon  
18 request, use of the statewide screening or assessment tool required under this  
19 subsection by a school district if the school district has adopted an evidence-based  
20 reading screening or assessment tool and the screening or assessment tool is approved  
21 by the department;

22 (6) review and approve alternative standardized reading screenings or  
23 assessments for use by school districts.

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

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

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

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

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

4 (5) whether the screening or assessment is culturally responsive.

5 **Sec. 14.30.765. Reading intervention services and strategies; progression.**

6 (a) Each school district shall offer intensive reading intervention services to students  
 7 in grades kindergarten through three who exhibit a reading deficiency to assist  
 8 students in achieving reading proficiency at or above grade level by the end of grade  
 9 three. The district shall provide the intensive reading intervention services in addition  
 10 to the core reading instruction that is provided to all students in the general education  
 11 classroom. The intensive reading intervention services must, to the extent practicable,

12 (1) be provided by a district reading teacher, or paraprofessional under  
 13 the supervision of a reading teacher, to all students in grades kindergarten through  
 14 three who are determined to have a reading deficiency based on the statewide  
 15 screening or assessment tool adopted under AS 14.30.760(a)(1);

16 (2) provide explicit and systematic instruction in phonemic awareness,  
 17 phonics, vocabulary development, reading fluency, oral language skills, and reading  
 18 comprehension, as necessary;

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

21 (4) include instruction with detailed explanations, extensive  
 22 opportunities for guided practice, and opportunities for error correction and feedback;

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

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

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

30 (8) be implemented outside of regular school hours, as directed in the  
 31 student's individual reading improvement plan under (b) of this section, for a student

1 who scores at the lowest achievement level on the statewide screening or assessment  
2 tool;

3 (9) be reviewed based on a department-approved response to  
4 intervention or multi-tiered system support models, addressing additional support and  
5 services needed to remedy identified needs; and

6 (10) support reading intervention at home by parents or guardians by  
7 offering a list of adult literacy resources and organizations, providing opportunities for  
8 parent or guardian participation in training workshops, and encouraging regular parent  
9 or guardian-guided home reading activities.

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

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

17 (2) be created by the student's reading teacher in consultation with the  
18 school principal, the student's parent or guardian, and other pertinent district staff;

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

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

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

26 (6) provide to the student's parent or guardian at least 10 reading  
27 progress updates each school year;

28 (7) be culturally responsive; and

29 (8) support the student reading at home with a parent or guardian by  
30 offering a list of adult literacy resources and organizations, providing opportunities for  
31 parent or guardian participation in training workshops, and encouraging regular parent

1 or guardian-guided home reading activities.

2 (c) If at any time during the school year a student in grades kindergarten  
3 through three demonstrates a reading deficiency, the district or school shall notify the  
4 student's parent or guardian. The initial notification must

5 (1) be provided to the student's parent or guardian not later than 15  
6 days after identification of the reading deficiency;

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

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

11 (4) describe the proposed evidence-based reading intervention and  
12 supplemental instructional services and supports that the district will provide to the  
13 student to improve the identified area of reading deficiency;

14 (5) explain that the district or school will inform the parent or guardian  
15 orally or in writing, as selected by the parent or guardian, of the student's progress  
16 toward grade level reading as outlined in the student's individual reading improvement  
17 plan;

18 (6) identify strategies for the parent or guardian to use at home to help  
19 the student succeed in reading;

20 (7) explain that if the student has a reading deficiency at the end of the  
21 school year and is in grades kindergarten through two, the student's progression may  
22 be delayed unless the student has previously not progressed to the next grade;

23 (8) explain that a student in grade three should demonstrate sufficient  
24 reading skills to progress to grade four under (e) of this section, unless the student  
25 receives a waiver under (f) of this section, receives an exemption under (h) of this  
26 section, or has previously not progressed to the next grade;

27 (9) explain the process and deadline to request a waiver under (f) of  
28 this section or an exemption under (h) of this section; and

29 (10) identify mid-year progression as an option for students who do  
30 not progress to the next grade.

31 (d) If it is determined, based on a statewide screening or assessment

1 administered in the spring, that a student in grades kindergarten through two has a  
2 reading deficiency, the student's teacher and other pertinent district staff shall notify  
3 and attempt to meet with the student's parent or guardian to explain that the student  
4 will not be able to maintain adequate academic progress at the next grade level. School  
5 staff shall work with the parent or guardian to schedule a date, time, and place for the  
6 meeting, to be held not later than 45 days before the end of the school year. Following  
7 that meeting, the parent or guardian shall determine whether the student will progress  
8 to the next grade. If no parent or guardian attends the meeting, the superintendent or  
9 the superintendent's designee shall, after considering a good cause exception under (h)  
10 of this section or whether the student has previously not progressed to the next grade,  
11 determine whether the student will progress to the next grade.

12 (e) A student in grade three should demonstrate sufficient reading skills to  
13 progress to grade four. A student demonstrates sufficient reading skills to progress to  
14 grade four by

15 (1) scoring at grade level or higher on the statewide screening or  
16 assessment tool or on the statewide summative assessment;

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

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

21 (f) If it is determined, based on a statewide screening or assessment  
22 administered in the spring, that a student in grade three has a reading deficiency, and  
23 the student does not demonstrate sufficient reading skills to progress to grade four  
24 under (e) of this section, the student's teacher and other pertinent district staff shall  
25 notify and attempt to meet with the student's parent or guardian to explain that the  
26 student is not prepared to progress to grade four. School staff shall work with the  
27 parent or guardian to schedule a date, time, and place for the meeting, to be held not  
28 later than 45 days before the end of the school year. Following that meeting, the parent  
29 or guardian may decide that the student will not progress to grade four, request a good  
30 cause exemption under (h) of this section, or decide to progress the student to grade  
31 four by signing a waiver developed by the department acknowledging that the student

1 is not prepared and agreeing that the student will participate in an additional 20 hours  
 2 of individual reading improvement plan intervention services during the summer  
 3 before the student enters grade four. If no parent or guardian attends the meeting, the  
 4 superintendent or the superintendent's designee shall, after considering a good cause  
 5 exception under (h) of this section or whether the student has previously not  
 6 progressed to the next grade, determine whether the student will progress to grade  
 7 four.

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

11 (h) A superintendent or superintendent's designee may exempt a student from  
 12 delayed progression to the next grade for good cause. A good cause exemption is  
 13 limited to

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

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

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

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

26 (i) A student's parent or guardian may request that the student receive a good  
 27 cause exemption under (h) of this section by submitting documentation to the principal  
 28 of the school in which the student is enrolled showing that an exemption is  
 29 appropriate. If the principal determines that the student meets one of the exemptions  
 30 under (h) of this section, the principal shall recommend to the superintendent in  
 31 writing that the superintendent grant the student a good cause exemption. The

1 superintendent or the superintendent's designee shall accept or reject the principal's  
2 recommendation in writing and provide notice of the decision to the student's parent or  
3 guardian and the principal.

4 (j) If no parent or guardian attends the meeting, and a superintendent or  
5 superintendent's designee decides that a student in grades kindergarten through three  
6 will not progress to the next grade under (d) or (f) of this section, the district or school  
7 in which the student is enrolled shall provide immediate oral and written notification  
8 to the student's parent or guardian. The written notification must explain that the  
9 parent or guardian may reschedule the meeting provided under (d) or (f) of this section  
10 and that during a meeting

11 (1) for a student in grades kindergarten through two, the parent or  
12 guardian may decide to progress the student; and

13 (2) for a student in grade three, the parent or guardian may request a  
14 good cause exemption under (h) of this section or decide to progress the student to  
15 grade four by signing a waiver under (f) of this section.

16 (k) For a student who does not progress to the next grade under (d) or (f) of  
17 this section, or who progresses to the next grade with a waiver under (f) of this section  
18 or a good cause exemption under (h) of this section, the district in which the student is  
19 enrolled shall

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

21 (2) provide intensive reading intervention services to improve the area  
22 of reading deficiency using effective instructional strategies to accelerate student  
23 progress;

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

26 (A) a transitional instructional setting that is designed to  
27 produce learning gains;

28 (B) supplemental tutoring offered by a person with specialized  
29 reading training;

30 (C) an increase in time dedicated to the reading instruction  
31 methods described in (a)(3) - (5) of this section, including more extensive

1 opportunities for guided practice and error correction and feedback;

2 (4) develop a plan for reading at home outlined in an agreement with  
3 the student's parent or guardian, including parent or guardian participation in training  
4 workshops and regular parent or guardian-guided home reading activities.

5 (l) For a student who does not progress to grade one, grade two, or grade three  
6 under (d) of this section, the district in which the student is enrolled shall, upon  
7 request by the student's parent or guardian, develop a plan for the student's mid-year  
8 progression.

9 (m) A school district shall adopt a policy providing for mid-year progression  
10 of a student who does not progress to grade four under (f) of this section if the student

11 (1) demonstrates sufficient reading skills to progress to grade four on  
12 the fall or winter statewide screening or assessment; and

13 (2) meets additional requirements determined by the district, including  
14 satisfactory achievement in other subject areas.

15 (n) A district shall, for the remainder of the academic year, and, if necessary,  
16 for additional school years, continue to implement an individual reading improvement  
17 plan for a student promoted mid-year under (l) or (m) of this section.

18 (o) Unless a parent or guardian decides that a student will not progress to the  
19 next grade under (d) or (f) of this section, a district or school may not delay the  
20 student's progression under this section if the student previously did not progress to  
21 the next grade.

22 (p) In this section, "reading teacher" means a teacher who

23 (1) holds a valid teacher certificate under AS 14.20;

24 (2) has demonstrated effectiveness in instructing students to read at or  
25 above grade level as measured by student reading performance data and in teacher  
26 performance evaluations; and

27 (3) meets the requirements established by the state Board of Education  
28 and Early Development in regulation.

29 **Sec. 14.30.770. Department reading program.** (a) The department shall  
30 establish a reading program to provide direct support for and intervention in intensive  
31 reading intervention services annually in the lowest-performing 25 percent of schools



1 serving students in grades kindergarten through three as determined under  
2 AS 14.03.123, selecting not more than five participating schools each year. A school  
3 participating in the reading program that remains in the lowest-performing 25 percent  
4 of schools as determined under AS 14.03.123 may apply to participate in the reading  
5 program again in the following school year. State funding provided to participating  
6 schools for implementation of the reading program is in addition to the amount of  
7 funding provided under AS 14.17. In conducting the program, the department shall

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

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

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

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

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

19 (B) coaching and mentoring teachers and staff in reading  
20 instruction with an emphasis on prioritizing time in a manner that has the  
21 greatest positive effects on student achievement;

22 (C) training teachers in data analysis and using data to  
23 differentiate instruction;

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

25 (E) reporting on school and student performance to the  
26 department;

27 (5) establish a reporting process for each reading specialist to submit  
28 updates to the department on implementation of the program;

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

31 (7) select and purchase additional reading material for each school

1 selected to supplement the intensive reading intervention services;

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

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

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

9 (B) provide explicit and systematic skill development in the  
10 areas of phonemic awareness, phonics, vocabulary development, reading  
11 fluency, oral language skills, and reading comprehension;

12 (C) are evidence-based and reliable;

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

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

18 (10) annually convene, either in person or electronically, a panel made  
19 up of teachers of grades kindergarten through three, school administrators, and parents  
20 of students in grades kindergarten through three to review and provide commentary on  
21 the effectiveness of the reading intervention programs established under AS 14.30.760  
22 - 14.30.775.

23 (b) A school selected to participate in the reading program established under  
24 this section shall

25 (1) ensure that a reading specialist assigned to the school is not  
26 required to perform functions that divert from the duties the department has assigned  
27 to the reading specialist;

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

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

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

6 (B) a detailed overview of the reading program and intensive  
7 reading intervention services;

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

10 (D) the implications of the program for students, families, and  
11 educators;

12 (4) provide notice of the public meeting required under (3) of this  
13 subsection to the parent or guardian of each student at least seven days before the date  
14 of the meeting;

15 (5) present an annual update on the school's implementation of the  
16 reading program and intensive reading intervention services at a public meeting with  
17 notice provided to the parent or guardian of each student at least seven days before the  
18 date of the meeting;

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

22 (c) The department shall publish on the department's Internet website and  
23 make available to the public

24 (1) a completed application from each school selected to participate in  
25 the reading program; and

26 (2) the reading program and intensive reading intervention services  
27 implemented by each school selected to participate.

28 (d) The department may employ a person as a reading specialist under this  
29 section if the person

30 (1) holds a valid teacher certificate issued under AS 14.20;

31 (2) has completed an approved graduate program for the preparation of

1 reading specialists at an approved institution of higher education and

2 (A) has completed a supervised practicum or internship as a  
3 reading specialist; or

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

7 (3) is knowledgeable about and demonstrates competency in reading  
8 instruction, including

9 (A) an understanding of phonemic awareness, phonics,  
10 vocabulary development, reading fluency, oral language skills, and reading  
11 comprehension;

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

14 (C) experience in designing and implementing a school-wide  
15 response to intervention program or multi-tiered system support model;

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

18 (E) knowledge of dyslexia and other learning disorders that  
19 affect reading achievement;

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

24 (4) meets other reading instruction coursework requirements  
25 established by the department in regulation.

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

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

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

1 and reading comprehension;

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

6 \* **Sec. 36.** AS 14.30 is amended by adding a new section to read:

7 **Article 16. Virtual Education.**

8 **Sec. 14.30.800. Virtual education consortium.** (a) The department shall, in  
9 cooperation with school districts, establish a virtual education consortium for the  
10 purpose of making virtual education and professional development resources available  
11 to students and teachers in the state. The department shall establish standards for  
12 consortium resources. The consortium shall create and maintain a database of virtual  
13 education courses for students, training in virtual instruction for teachers, and  
14 professional development courses for teachers of students throughout the state if the  
15 coursework curriculum meets the state standards established by the department. The  
16 database must be accessible to all school districts that participate in the consortium.

17 (b) For teachers delivering or facilitating virtual coursework to students  
18 through the consortium database, the consortium shall provide training and  
19 professional development on virtual instruction methods and the differences between  
20 virtual instruction and instruction offered in a classroom. A teacher may not provide  
21 instruction through a course for students that is in the database unless

22 (1) the teacher has completed the training or professional development  
23 provided by the consortium; or

24 (2) the consortium determines that the teacher's previous experience  
25 has prepared the teacher to provide virtual instruction and the teacher demonstrates the  
26 skills necessary to provide virtual instruction.

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

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

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

4 (3) training teachers in data analysis and using data to differentiate  
 5 instruction;

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

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

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

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

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

21 (g) In this section, "virtual education" or "virtual instruction" means  
 22 instruction delivered through telecommunications or another digital or electronic  
 23 method.

24 \* **Sec. 37.** AS 14.60.010 is amended by adding a new paragraph to read:

25 (9) "culturally responsive" means showing respect for and recognition  
 26 of the traditions, beliefs, languages, values, and practices of the local culture that has  
 27 historically been present in the geographic area being served.

28 \* **Sec. 38.** AS 47.17.290(12) is amended to read:

29 (12) "organization" means a group or entity that provides care and  
 30 supervision for compensation to a child not related to the caregiver, and includes a  
 31 child care facility, pre-elementary school, early education program, head start

1 center, child foster home, residential child care facility, recreation program, children's  
2 camp, and children's club;

3 \* **Sec. 39.** AS 14.03.080(d) is repealed.

4 \* **Sec. 40.** AS 14.03.120(h), 14.03.410, 14.03.420; AS 14.17.500(e), 14.17.500(f);  
5 AS 14.20.020(l); AS 14.30.760, 14.30.765, 14.30.770, 14.30.775, and 14.30.800 are repealed.

6 \* **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to  
7 read:

8 VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of  
9 Education and Early Development shall make available virtual education courses and  
10 professional development resources under sec. 36 of this Act on or before July 1, 2024.

11 \* **Sec. 42.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 APPLICABILITY. Section 34 of this Act applies,

14 (1) on the effective date of sec. 34 of this Act, to teachers who begin teaching  
15 students in grades kindergarten through three on and after the effective date of sec. 34 of this  
16 Act;

17 (2) on July 1, 2024, to teachers who began teaching students in grades  
18 kindergarten through three before the effective date of sec. 34 of this Act.

19 \* **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to  
20 read:

21 REPORT TO THE LEGISLATURE. Not later than the thirtieth day of the First  
22 Regular Session of the Thirty-Eighth Alaska State Legislature, the Department of Education  
23 and Early Development shall prepare and present to the legislative committees having  
24 jurisdiction over education a report evaluating the virtual education consortium established  
25 under AS 14.30.800 and the following programs established under this Act: the early  
26 education program, the parents as teachers program, the reading intervention program, and the  
27 department reading program. The report must include

28 (1) data analysis conducted by an independent contractor evaluating the  
29 success of each program, including

30 (A) statistics measuring the effectiveness of each program in  
31 accomplishing the program mission;

1 (B) the cost-effectiveness of each program;  
 2 (C) trends in reading assessment scores by each group of students  
 3 listed in AS 14.30.760(a)(4) as the students progress through grade eight;

4 (2) recommendations from the panels convened under AS 14.30.770(a)(10);  
 5 and

6 (3) recommendations from the Department of Education and Early  
 7 Development addressing whether to extend, expand, contract, or repeal each program.

8 \* **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to  
 9 read:

10 TRANSITION. The number of district-wide early education programs that the  
 11 department approves under AS 14.03.410 in the fiscal year beginning July 1, 2022, may not  
 12 result in more than \$3,000,000 of total state aid attributable to early education programs. In  
 13 the fiscal year beginning July 1, 2023, the number of district-wide early education programs  
 14 that the department approves may not result in an increase from the prior fiscal year of more  
 15 than \$3,000,000 of total state aid attributable to early education programs.

16 \* **Sec. 45.** The uncodified law of the State of Alaska is amended by adding a new section to  
 17 read:

18 TRANSITION: REGULATIONS. The Department of Education and Early  
 19 Development and the state Board of Education and Early Development may adopt regulations  
 20 necessary to implement the changes made by this Act. The regulations take effect under  
 21 AS 44.62 (Administrative Procedure Act), but a regulation may not take effect before the  
 22 effective date of the relevant provision of this Act implemented by the regulation.

23 \* **Sec. 46.** Sections 4, 6, 8, 11, 12, 16, 19, 22, 26, 30, 32, and 40 of this Act take effect  
 24 June 30, 2034.

25 \* **Sec. 47.** Except as provided in sec. 46 of this Act, this Act takes effect July 1, 2022.