

**HOUSE BILL NO. 240**

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

BY REPRESENTATIVE SCHRAGE

Introduced: 1/7/22  
 Referred: Prefiled

**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 school operating funds; and providing for an effective date."

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

7 \* **Section 1.** AS 14.03.040 is amended to read:

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

1 session for any grade. The period of the day in session shall be devoted to the  
2 instruction of pupils or to study periods for the pupils.

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

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

14 \* **Sec. 3.** AS 14.03.060(e), as amended by sec. 2 of this Act, is amended to read:

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

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

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

24 (1) information described under AS 14.03.120(d);

25 (2) progress of the department

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

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

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

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

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

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

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

9 **(8) the effectiveness and participation rates of the parents as**  
10 **teachers program established under AS 14.03.420, including measures of**  
11 **efficiency and effectiveness that demonstrate the effects of the program on school**  
12 **readiness.**

13 \* **Sec. 5.** AS 14.03.078(a), as amended by sec. 4 of this Act, is amended to read:

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

18 (1) information described under AS 14.03.120(d);

19 (2) progress of the department

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

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

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

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

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

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

1 (7) the number and percentage of turnover in certificated personnel and  
2 superintendents [; AND

3 (8) THE EFFECTIVENESS AND PARTICIPATION RATES OF  
4 THE PARENTS AS TEACHERS PROGRAM ESTABLISHED UNDER  
5 AS 14.03.420, INCLUDING MEASURES OF EFFICIENCY AND  
6 EFFECTIVENESS THAT DEMONSTRATE THE EFFECTS OF THE PROGRAM  
7 ON SCHOOL READINESS].

8 \* **Sec. 6.** AS 14.03.080(c) is amended to read:

9 (c) A child under school age who is at least four years of age at the  
10 beginning of the school year may be admitted to a public school in the school district  
11 of which the child is a resident at the discretion of the governing body of the school  
12 district if the child meets minimum standards prescribed by the board evidencing that  
13 the child has the mental, physical, and emotional capacity to perform satisfactorily for  
14 the educational program being offered. A district's educational program must prescribe  
15 that, except for students in an early education program, under school age students  
16 advance through the curriculum or grade level by the following school year. A  
17 governing body may delegate the authority granted under this subsection to the chief  
18 school administrator of the school district.

19 \* **Sec. 7.** AS 14.03.080(c), as amended by sec. 6 of this Act, is amended to read:

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

31 \* **Sec. 8.** AS 14.03.080 is amended by adding a new subsection to read:

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

4 \* **Sec. 9.** AS 14.03 is amended by adding new sections to read:

5 **Article 4. Early Education.**

6 **Sec. 14.03.410. Early education programs; grants.** (a) The department shall  
 7 provide training and assistance to develop and improve district-wide early education  
 8 programs that comply with standards adopted by the board under AS 14.07.165(a)(5).  
 9 The department shall assess district-wide early education programs and approve  
 10 programs that comply with the standards adopted by the board under  
 11 AS 14.07.165(a)(5). The department may review an approved program at any time and  
 12 may revoke approval of a program if the program is not in compliance with the  
 13 standards adopted by the board under AS 14.07.165(a)(5).

14 (b) The department may award a grant to provide funding for a three-year  
 15 period for the development or improvement of a district-wide early education program  
 16 to a district that has not received a grant under this section, applies in a format  
 17 prescribed by the department, and is eligible for a grant as specified under (c) of this  
 18 section. Unless the legislature appropriates another amount, total grant funding  
 19 awarded to districts under this subsection may not exceed \$3,000,000 in a fiscal year.

20 (c) The department shall rank the performance of each district in the state in  
 21 accordance with the accountability system and performance designations required  
 22 under AS 14.03.123. When approving grants under (b) of this section, the department  
 23 shall prioritize eligible districts with lower performance, based on the department's  
 24 ranking of districts under this subsection. A district is eligible for a grant if the  
 25 department determines an insufficient number of children in the district attend high  
 26 quality child care programs, including head start programs, early education programs  
 27 provided by a local government, and early education programs provided by child  
 28 development agencies, that

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

31 (2) would continue operating after development of a district early

1 education program.

2 (d) If the department does not approve, as provided in (a) of this section, the  
3 early education program of a district awarded a grant under (b) of this section by the  
4 end of the district's three-year grant period, the department may provide a one-year  
5 remediation grant to allow the district one additional fiscal year to meet the early  
6 education program standards adopted by the board under AS 14.07.165(a)(5). If the  
7 district is unable to meet the early education program standards at the end of that fiscal  
8 year, the department may, in the discretion of the commissioner, provide an additional  
9 remediation grant to allow the district not more than one additional fiscal year to meet  
10 the standards. Nothing in this section prohibits a district from using its own funds to  
11 continue the remediation process.

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

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

17 (g) In this section,

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

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

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

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

27 (1) is evidence-based;

28 (2) involves parents;

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

31 (4) incorporates guidelines adopted by the department for early

1 learning that

2 (A) enhance school readiness;

3 (B) increase parent understanding of child development and  
4 developmental milestones;

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

6 (D) increase identification of health problems and  
7 developmental delays through regular screenings;

8 (E) improve child health indicators, including immunization  
9 rates; and

10 (F) increase parental involvement; and

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

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

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

18 \* **Sec. 10.** AS 14.07.020(a) is amended to read:

19 (a) The department shall

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

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

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

30 (4) prescribe by regulation a minimum course of study for the public  
31 schools; the regulations must provide that, if a course in American Sign Language is

1 given, the course shall be given credit as a course in a foreign language;

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

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

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

17 (8) exercise general supervision over **early education programs**  
18 **[PRE-ELEMENTARY SCHOOLS]** that receive direct state or federal funding,  
19 **including early education programs provided by a school district for students**  
20 **four and five years of age, and approve early education programs provided by a**  
21 **school district under AS 14.03.410(a)**;

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

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

30 (11) review plans for construction of new public elementary and  
31 secondary schools and for additions to and major rehabilitation of existing public

1 elementary and secondary schools and, in accordance with regulations adopted by the  
2 department, determine and approve the extent of eligibility for state aid of a school  
3 construction or major maintenance project; for the purposes of this paragraph, "plans"  
4 include educational specifications, schematic designs, projected energy consumption  
5 and costs, and final contract documents;

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

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

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

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

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

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

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

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

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

1 \* **Sec. 11.** AS 14.07.020(a), as amended by sec. 10 of this Act, is amended to read:

2 (a) The department shall

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

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

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

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

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

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

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

31 (8) exercise general supervision over early education programs that

1 receive direct state or federal funding, including early education programs provided by  
2 a school district for students four and five years of age [, AND APPROVE EARLY  
3 EDUCATION PROGRAMS PROVIDED BY A SCHOOL DISTRICT UNDER  
4 AS 14.03.410(a)];

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

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

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

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

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

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

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

31 (16) establish by regulation criteria, based on low student performance,

1 under which the department may intervene in a school district to improve instructional  
2 practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

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

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

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

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

15 \* **Sec. 12.** AS 14.07.020(c) is amended to read:

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

19 \* **Sec. 13.** AS 14.07.165(a) is amended to read:

20 (a) The board shall adopt

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

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

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

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

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

31 **(A) standards for a locally designed, evidence-based**

1 program that meets Head Start Program Performance Standards and  
 2 other federal standards required for early education programs to receive  
 3 federal funding;

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

6 (i) have satisfactorily completed a minimum of six  
 7 credit hours in early childhood education or completes the  
 8 minimum credit hours within one year of the date the teacher's  
 9 employment with the early education program begins; or

10 (ii) have two or more years of experience teaching  
 11 kindergarten or another early education program and have  
 12 completed additional coursework related to reading instruction, as  
 13 required by the department;

14 (C) developmentally appropriate objectives for children  
 15 four and five years of age rather than academic standards appropriate for  
 16 older children; the objectives must allow school districts to adapt the  
 17 content of an early education program to be culturally responsive to local  
 18 communities;

19 (D) accommodations for the needs of all early education  
 20 children and their families regardless of socioeconomic circumstances;  
 21 and

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

24 (6) regulations establishing standards for day in session  
 25 requirements appropriate for kindergarten students [REPEALED].

26 \* **Sec. 14.** AS 14.17.500 is amended by adding new subsections to read:

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

30 (e) A school district may not include in a school's ADM students who are four  
 31 and five years of age if the students are enrolled in an early education program that

1 receives state or federal funding other than funding under this chapter.

2 (f) A school district may not include in a school's ADM students who are four  
3 and five years of age if inclusion of the students would result in an increase of total  
4 state aid attributable to district-wide early education programs approved under  
5 AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department  
6 shall prioritize the funding of district-wide early education programs, giving priority to  
7 school districts with lower performance, based on the department's ranking of districts  
8 under AS 14.03.410(c). When the number of students in a district-wide early  
9 education program will result in an increase of total state aid attributable to district-  
10 wide early education programs approved under AS 14.03.410 of more than \$3,000,000  
11 from the previous fiscal year, the department may identify the amount, up to  
12 \$3,000,000, available for the district's district-wide early education program.

13 \* **Sec. 15.** AS 14.17.500(d), enacted by sec. 14 of this Act, is amended to read:

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

19 \* **Sec. 16.** AS 14.17.505 is amended to read:

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

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

1 \* **Sec. 17.** AS 14.17.505 is amended by adding a new subsection to read:

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

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

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

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

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

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

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

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

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

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

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

27 \* **Sec. 19.** AS 14.17.905(a), as amended by sec. 18 of this Act, is amended to read:

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

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

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

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

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

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

14 \* **Sec. 20.** AS 14.60.010 is amended by adding a new paragraph to read:

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

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

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

24 \* **Sec. 22.** AS 14.03.080(d) is repealed.

25 \* **Sec. 23.** AS 14.03.410, 14.03.420; AS 14.17.500(e), and 14.17.500(f) are repealed.

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

28 REPORT TO THE LEGISLATURE. Not later than the thirtieth day of the First  
29 Regular Session of the Thirty-Eighth Alaska State Legislature, the Department of Education  
30 and Early Development shall prepare and present to the legislative committees having  
31 jurisdiction over education a report evaluating the early education program and the parents as

1 teachers program established under this Act. The report must include

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

4 (A) statistics measuring the effectiveness of each program in  
5 accomplishing the program mission;

6 (B) the cost-effectiveness of each program; and

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

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

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

17 \* **Sec. 26.** The uncodified law of the State of Alaska is amended by adding a new section to  
18 read:

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

24 \* **Sec. 27.** Sections 3, 5, 7, 8, 11, 15, 19, and 23 of this Act take effect June 30, 2034.

25 \* **Sec. 28.** Except as provided in sec. 27 of this Act, this Act takes effect July 1, 2022.