

CS FOR SENATE BILL NO. 266(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE EDUCATION COMMITTEE

Offered: 5/9/24

Referred: Finance

Sponsor(s): SENATE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to standards-based assessments; relating to correspondence study**
2 **programs; relating to allotments for correspondence study programs; and providing for**
3 **an effective date."**

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

5 * **Section 1.** AS 14.03.016(a) is amended to read:

6 (a) A local school board shall, in consultation with parents, teachers, and
7 school administrators, adopt policies to promote the involvement of parents in the
8 school district's education program. The policies must include procedures

9 (1) recognizing the authority of a parent and allowing a parent to
10 [OBJECT TO AND] withdraw the child from a standards-based assessment or test
11 required by the state **and select as an alternative to the standards-based assessment**
12 **or test either**

13 **(A) an alternative assessment selected and approved by the**
14 **department; or**

1 **(B) a student portfolio based on criteria established by the**
 2 **department;**

3 (2) recognizing the authority of a parent and allowing a parent to
 4 object to and withdraw the child from an activity, class, or program;

5 (3) providing for parent notification not less than two weeks before
 6 any activity, class, or program that includes content involving human reproduction or
 7 sexual matters is provided to a child;

8 (4) recognizing the authority of a parent and allowing a parent to
 9 withdraw the child from an activity, class, program, or standards-based assessment or
 10 test required by the state for a religious holiday, as defined by the parent;

11 (5) providing a parent with an opportunity to review the content of an
 12 activity, class, performance standard, or program;

13 (6) ensuring that, when a child is absent from an activity, class,
 14 program, or standards-based assessment or test required by the state under this section,
 15 the absence is not considered an unlawful absence under AS 14.30.020 if the child's
 16 parent withdrew the child from the activity, class, program, or standards-based
 17 assessment or test or gave permission for the child's absence.

18 * **Sec. 2.** AS 14.03.300 is amended by adding new subsections to read:

19 (c) The department or a district that provides a correspondence study program
 20 shall create an annual report on the program's performance and the performance of the
 21 program's students. The report must include

22 (1) information on accreditation;

23 (2) results of norm-referenced achievement tests;

24 (3) results of state standards-based assessments in language arts and
 25 mathematics;

26 (4) a description, including quantitative and qualitative measures, of
 27 student, parent, community, and business involvement in student learning;

28 (5) a description of the program's attendance, retention, dropout, and
 29 graduation rates as specified by the state board;

30 (6) the annual percentage of enrollment change, regardless of reason,
 31 and the annual percentage of enrollment change because of student transfers into and

1 out of the program;

2 (7) if Native language education is provided, a summary and
3 evaluation of the curriculum described in AS 14.30.420;

4 (8) the performance designation assigned the district providing the
5 program under AS 14.03.123 and the methodology used to assign the performance
6 designation, including the measures used and the relative weights of the measures
7 used;

8 (9) other information concerning the performance of the program and
9 the performance of the program's students as required by the state board in regulation;
10 and

11 (10) information on the number, attendance, and performance of
12 students enrolled in the program whose parents or guardians are on active duty in the
13 armed forces of the United States, the Alaska National Guard, the Alaska Naval
14 Militia, or the Alaska State Defense Force.

15 (d) A district that provides a correspondence study program shall annually
16 submit the report created under (c) of this section to the department.

17 * **Sec. 3.** AS 14.03.310 is repealed and reenacted to read:

18 **Sec. 14.03.310. Student allotments.** (a) The department or a district that
19 provides a correspondence study program may provide an allotment to a parent or
20 guardian of a student enrolled in the program for the purpose of providing student
21 textbooks, materials, and services determined necessary under the student's individual
22 learning plan created under AS 14.03.300.

23 (b) An allotment may not be used by the district or the parent or guardian of a
24 student enrolled in the correspondence study program to supplant district funds or
25 obligations for individualized education program services.

26 (c) The board shall adopt regulations requiring that an expenditure made from
27 an allotment must be approved by the department or the district that provides the
28 allotment. The approval process may include preauthorization for items identified in
29 regulations. The regulations must require that textbooks, services, and other
30 curriculum materials

31 (1) be approved by the department or school district that provides the

1 correspondence study program;

2 (2) be appropriate for the student;

3 (3) comply with state standards;

4 (4) comply with AS 14.03.090 and AS 14.18.060.

5 (d) The department or a district that provides allotments shall

6 (1) annually return at least 90 percent of the unexpended balance of
7 each allotment to the budget of the department or district;

8 (2) immediately return to the budget of the department or district the
9 unexpended balance of each allotment provided to a student when the student is no
10 longer enrolled in the correspondence study program;

11 (3) maintain a record of approved expenditures from the allotments;

12 and

13 (4) implement a routine monitoring of expenditures.

14 (e) An allotment may not be used to pay for

15 (1) services provided to a student by the student's spouse, guardian,
16 parent, stepparent, sibling, stepsibling, grandparent, stepgrandparent, child, uncle, or
17 aunt;

18 (2) out-of-state travel unless the travel is approved by the governing
19 body or superintendent of a district; or

20 (3) religious, partisan, sectarian, or denominational courses, classes,
21 textbooks, or other curriculum materials.

22 (f) The department or a district that provides a correspondence study program
23 may approve the use of up to 15 percent of an allotment to allow the program or a
24 parent or guardian of a student enrolled in the program to contract with a private
25 individual to provide tutoring in fine arts, music, or physical education if the tutoring
26 is part of the student's individual learning plan created under AS 14.03.300. A
27 certificated teacher who is employed by the correspondence study program and who is
28 qualified to teach the subject or grade level has the primary responsibility to plan the
29 course of study on the subject, provide instruction, and evaluate the student's learning
30 of the subject. Tutoring paid for under this subsection may not be provided by a
31 private or religious educational institution.

1 * **Sec. 4.** AS 14.07.168 is amended to read:

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

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

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

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

14 (4) a summary of implementation and utilization of the consortium
15 established under AS 14.30.800, including a review of consortium effectiveness and
16 the participation rates of districts, teachers, and students;

17 **(5) the information included in the report created under**
18 **AS 14.03.300(c);**

19 **(6) the information reported to the department under**
20 **AS 14.03.300(d).**

21 * **Sec. 5.** AS 14.07.168, as amended by sec. 23, ch. 40, SLA 2022, 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) the information included in the report created under**
4 **AS 14.03.300(c);**

5 **(5) the information reported to the department under**
6 **AS 14.03.300(d).**

7 * **Sec. 6.** AS 14.03.300(b) is repealed.

8 * **Sec. 7.** Section 5 of this Act takes effect on the effective date of sec. 23, ch. 40, SLA
9 2022.

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