

SENATE BILL NO. 79

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATOR HUGHES

Introduced: 3/6/19

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to course credit for students; relating to annual reports regarding**
2 **school district performance and school district employees; relating to school operating**
3 **fund reserves; relating to competency examinations for teacher certificates; relating to**
4 **the duties and powers of the Department of Education and Early Development; relating**
5 **to the Professional Teaching Practices Commission; relating to a virtual education**
6 **consortium; and providing for an effective date."**

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

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

10 LEGISLATIVE FINDINGS. The legislature finds that

11 (1) virtual education allows students to access courses that are not otherwise
12 available in their local schools or school districts, including courses that are relevant to the
13 interests and career paths of students;

(2) virtual education provides students with access to teachers who are experts in their fields, allowing for better instruction and better academic results;

(3) overall state spending on education does not correlate with improved academic results; however, spending on quality classroom instruction does correlate with improved academic results;

(4) access to quality classroom instruction, whether through virtual education or traditional delivery modes, is important for the success of every student in the state;

(5) despite the benefits of virtual education, virtual education has limitations and cannot replace high-quality teachers and teaching aides in the classroom who inspire high-quality student learning.

* **Sec. 2.** AS 14.03.073(a) is amended to read:

(a) A school district shall provide the opportunity for students enrolled in grades nine through 12 in the district to challenge one or more courses provided by the district by demonstrating mastery in mathematics, language arts, science, social studies, and world languages at the level of the course challenged. A school district shall give full credit for a course to a student who successfully challenges that course as provided under **(b) of** this section.

* **Sec. 3.** AS 14.03.073(b) is amended to read:

(b) A school district shall establish, within a reasonable time, an assessment tool and a standard for demonstrating mastery in courses provided for students in grades nine through 12 by the district under **(a) of** this section. This section does not require a school district to establish an assessment tool for every course in mathematics, language arts, science, social studies, and world languages that is offered to students in grades nine through 12 by the district.

* **Sec. 4.** AS 14.03.073 is amended by adding a new subsection to read:

(e) In addition to providing the opportunity for a student to challenge a course under (a) - (c) of this section, a school district shall allow a student enrolled in grades nine through 12 to receive course credit in career and technical education, physical education, music, or art if the student participates in an activity, including a cultural activity, outside of school hours that the school district determines meets the educational or physical activity requirements of the course. A school district may

adopt standards for awarding course credit for an activity under this subsection.

* **Sec. 5.** AS 14.03.078(a) is amended to read:

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

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

(2) progress of the department

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

(B) in assisting high schools to become accredited;

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

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

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

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

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

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

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

(B) the total number of certificated administrative employees employed by each school district compared to the total number of teachers employed by the school district on October 1 of the previous

1 year; and

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

5 * **Sec. 6.** AS 14.03.078 is amended by adding new subsections to read:

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

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

13 * **Sec. 7.** AS 14.17.505(a) is amended to read:

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

21 * **Sec. 8.** AS 14.20.020(i) is amended to read:

22 (i) Beginning on July 1, 1998, a person is not eligible for an initial regular
 23 teacher certificate unless the person has taken and successfully completed a
 24 competency examination or examinations designated, at the time the person took the
 25 test, by the board. The board shall review nationally recognized examinations that are
 26 designed to test the competency of new teachers and shall designate those
 27 examinations that it finds adequately test the skills and abilities of new teachers. For
 28 each examination designated under this subsection, the board shall establish the
 29 minimum acceptable level of performance. **If the board designates a Praxis test as a**
 30 **competency examination under this subsection, the board shall periodically**
 31 **adjust the minimum acceptable level of performance established for the Praxis**

test so that the level is equal to or higher than the most stringent minimum acceptable level of performance for teacher certification established by another state. A regulation adopted under this subsection to increase the minimum acceptable level of performance on a competency examination may not take effect earlier than one year after the board adopts the regulation.

* **Sec. 9.** AS 14.20.380 is amended by adding a new subsection to read:

(b) The department shall provide administrative support services to the commission.

* **Sec. 10.** AS 14.20.460 is amended to read:

Sec. 14.20.460. Duties of commission. The commission shall

(1) establish procedures [,] and adopt regulations to implement the purposes of AS 14.20.370 - 14.20.510;

(2) conduct investigations and hearings on alleged violations of ethical or professional teaching performance, contractual obligations, and professional teaching misconduct;

(3) review the regulations of the department as they relate to teacher certification and recommend necessary changes;

(4) review the decisions of the department regarding the issuance or denial of certificates and, in the [ITS] discretion of the commission, recommend reversal of decisions;

(5) reduce the commission's administrative costs by using administrative support services provided by the department.

* **Sec. 11.** AS 14.30 is amended by adding a new section to read:

Article 15. Virtual Education.

Sec. 14.30.760. Virtual education consortium. (a) The department shall, in cooperation with school districts, establish a virtual education consortium for the purpose of making virtual education and professional development resources available to students and teachers in the state. The consortium shall create and maintain a database of virtual education courses for students in grades six through 12, training in virtual instruction for teachers of students in grades six through 12, and professional development courses for teachers of students in any grade. A school district or a third-

1 party vendor may provide a course for students or teachers that is included in the
 2 database. A virtual education course for students may be included in the database only
 3 if the course is approved by the department under (b) of this section.

4 (b) The department shall review the curriculum of a virtual education course
 5 for students before including the course in the database. The department may approve
 6 the course if the course is appropriate for students in grades six through 12 and aligned
 7 with state standards established by the department. The database must be accessible to
 8 all school districts and include the following information for each course:

- 9 (1) the title, the subject, and a description of the course;
- 10 (2) the name of the school district or third-party vendor that provides
 11 the course;
- 12 (3) a description of the method of instruction for the course, including
 13 whether the instruction is synchronous, asynchronous, or blended; and
- 14 (4) samples of the curriculum and instruction provided in the course,
 15 including an introductory video by the instructor and, for a synchronous course, a
 16 video of the instructor teaching.

17 (c) The consortium shall provide training for teachers of students in grades six
 18 through 12 on virtual instruction methods and the differences between virtual
 19 instruction and instruction offered in a classroom. A teacher may not provide
 20 instruction through a course for students that is in the database unless

- 21 (1) the teacher has completed the training provided by the consortium;
 22 or
- 23 (2) the consortium determines that the teacher's previous experience
 24 has prepared the teacher to provide virtual instruction and the teacher demonstrates the
 25 skills necessary to provide virtual instruction.

26 (d) In addition to providing training for teachers under (c) of this section, the
 27 consortium shall offer through the database professional development courses for
 28 teachers of students in any grade and shall include in the database professional
 29 development courses provided by third-party vendors. A school district with adequate
 30 broadband Internet access to participate in virtual professional development courses
 31 shall require that teachers in the school district complete professional development

1 training through the consortium. The consortium may require, as a condition of
 2 participation, that school districts participating in virtual professional development
 3 courses for teachers adopt the same in-service days.

4 (e) A school district that provides a course included in the database may
 5 charge a fee to the school district in which a student who takes the course is enrolled.
 6 The fee may approximate the estimated cost to the school district of providing the
 7 course but may not exceed the amount calculated by multiplying the base student
 8 allocation by a fraction, the numerator of which is the number of classes the student
 9 takes during the school year that are provided by that school district and the
 10 denominator of which is the total number of classes the student takes during the school
 11 year that are provided by any school district.

12 (f) A school district that participates in the consortium shall pay a fee to the
 13 consortium. The department shall establish the fee in regulations, based on a
 14 recommendation made by the consortium, and may adjust the fee annually as
 15 necessary. The fees must approximately equal the consortium's administrative costs
 16 related to reviewing and approving courses and maintaining the database.

17 (g) 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 (b) 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 (h) In this section,

22 (1) "asynchronous" means instruction that does not require the
 23 simultaneous participation of a student and instructor;

24 (2) "base student allocation" means the amount set out in
 25 AS 14.17.470;

26 (3) "blended" means instruction that uses a combination of
 27 asynchronous and synchronous delivery;

28 (4) "synchronous" means instruction that requires the simultaneous
 29 participation of a student and instructor; synchronous instruction is delivered in real
 30 time through videoconferencing or other live means;

31 (5) "virtual education" or "virtual instruction" means instruction

1 delivered through telecommunications or another digital or electronic method.

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

4 VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of
5 Education and Early Development shall make available virtual education courses and
6 professional development resources under sec. 11 of this Act on or before July 1, 2020.

7 * **Sec. 13.** Sections 5 - 12 of this Act take effect immediately under AS 01.10.070(c).

8 * **Sec. 14.** Except as provided in sec. 13 of this Act, this Act takes effect July 1, 2020.