

**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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (2) progress of the department

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

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

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

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

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

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

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

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

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

29 **(B) the total number of certificated administrative**  
30 **employees employed by each school district compared to the total number**  
31 **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**

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

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

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

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

10                **Sec. 14.20.460. Duties of commission.** The commission shall

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

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

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

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

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

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

24                                **Article 15. Virtual Education.**

25                        **Sec. 14.30.760. Virtual education consortium.** (a) The department shall, in  
 26                        cooperation with school districts, establish a virtual education consortium for the  
 27                        purpose of making virtual education and professional development resources available  
 28                        to students and teachers in the state. The consortium shall create and maintain a  
 29                        database of virtual education courses for students in grades six through 12, training in  
 30                        virtual instruction for teachers of students in grades six through 12, and professional  
 31                        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.