

SENATE BILL NO. 151

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/21/20

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

"An Act relating to early education programs provided by school districts; relating to funding for early education programs; relating to a department literacy program; relating to a comprehensive reading policy; relating to the duties of the state Board of Education and Early Development; and providing for an effective date."

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

* **Section 1.** AS 14.03.060(e) is amended to read:

(e) In addition to the grades enumerated in (a) of this section, an elementary school includes an early education [CONSISTS OF A PRE-ELEMENTARY] program approved or supervised by the department under AS 14.07.020(a)(8), which includes [OPERATED BY THE DEPARTMENT AS] a head start program under 42 U.S.C. 9831 – 9852c (Head Start Act) [AS 14.38.010, OR LOCATED IN A PUBLIC SCHOOL FOR FEDERAL FUNDING PURPOSES. EXCEPT FOR A CHILD WITH A DISABILITY WHO IS RECEIVING SPECIAL EDUCATION OR RELATED SERVICES UNDER AS 14.30.180 - 14.30.350, PRE-ELEMENTARY

1 STUDENTS MAY NOT BE COUNTED IN A SCHOOL'S AVERAGE DAILY
2 MEMBERSHIP UNDER AS 14.17].

3 * **Sec. 2.** AS 14.03.072(a) is amended to read:

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

7 (1) intervention strategies, including program services provided
8 under AS 14.30.760 and 14.30.770;

9 (2) home literacy plans;

10 (3) grade retention standards and policies for the elementary school
11 attended; **and**

12 (4) strategies and resources to help children learn to read.

13 * **Sec. 3.** AS 14.03.080 is amended by adding a new subsection to read:

14 (g) A child who is at least four, but not more than five, years of age on or
15 before September 1 of the school year and who has not attended a public school
16 kindergarten may enter a public school early education program.

17 * **Sec. 4.** AS 14.03 is amended by adding a new section to read:

18 **Sec. 14.03.135. Early education programs; grants.** (a) The department shall
19 train and assist districts in the development of early education programs and shall
20 approve early education programs that meet the standards adopted by the board under
21 AS 14.07.165(a)(5). If the department determines that a district's early education
22 program complies with the standards, the department shall approve the early education
23 program. If the department determines that a district's early education program does
24 not comply with the standards, the department shall assist the district in improving the
25 early education program to meet the standards.

26 (b) The department may award a grant to an eligible district to fund a three-
27 year, district-wide early education program. At the end of the three-year grant period,
28 the department shall assess the district's early education program and determine
29 whether the program complies with the standards adopted under AS 14.07.165(a)(5).

30 (c) Before awarding a three-year grant under (b) of this section, in the fiscal
31 year beginning July 1, 2020, the department shall rank the performance of all districts

1 in the state in accordance with the accountability system and performance designations
 2 required under AS 14.03.123. The following groups of districts are eligible for a three-
 3 year grant in the identified fiscal years:

4 (1) for the fiscal year beginning July 1, 2020, the lowest performing 10
 5 percent of districts;

6 (2) for the fiscal year beginning July 1, 2021, the second lowest
 7 performing 15 percent of districts;

8 (3) for the fiscal year beginning July 1, 2022, the third lowest
 9 performing 15 percent of districts;

10 (4) for the fiscal year beginning July 1, 2023, the third highest
 11 performing 15 percent of districts;

12 (5) for the fiscal year beginning July 1, 2024, the second highest
 13 performing 20 percent of districts;

14 (6) for the fiscal year beginning July 1, 2025, the highest performing
 15 25 percent of districts.

16 (d) In each fiscal year, the department may award a three-year grant to a
 17 district that applies in a format prescribed by the department and that is in a group of
 18 districts that

19 (1) is eligible for a grant during that fiscal year under (c) of this
 20 section; or

21 (2) was eligible for a grant in a previous fiscal year under (c) of this
 22 section, but did not receive a grant under this section in a previous fiscal year.

23 (e) If the department does not approve a district's early education program at
 24 the end of the three-year grant period, the department may provide a one-year
 25 remediation grant to allow the district one additional fiscal year to meet the early
 26 education program standards established by the board. If the district is unable to meet
 27 the early education program standards at the end of the fiscal year, the department
 28 may, in the discretion of the commissioner, provide an additional remediation grant to
 29 allow the district not more than one additional fiscal year to meet the standards.

30 (f) A student in an early education program may not be counted in the district
 31 ADM under AS 14.17.500 or 14.17.905 until after the department determines that the

early education program complies with the standards adopted by the board under AS 14.07.165(a)(5) and approves the program. The department may not approve an early education program developed with a grant awarded under (b) of this section until the end of the three-year grant period under (b) of this section or the additional remediation period under (e) of this section. The department may approve a district's early education program that does not receive a grant under this section at any time if the early education program complies with the standards adopted by the board under AS 14.07.165(a)(5).

(g) A grant under this section is subject to appropriation, may not supplant other early education funding available to districts, and does not prevent a district from using other funding to develop or operate an early education program.

(h) In this section,

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

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

(3) "early education program" means a program for children who are four or five years of age before September 1 of the school year and who have not attended a public school kindergarten if the program's primary function is educational.

* **Sec. 5.** AS 14.07.020(a) is amended to read:

(a) The department shall

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

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

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

(4) prescribe by regulation a minimum course of study for the public 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 detention
4 facilities in the state during the period of detention;

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

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

16 (8) exercise general supervision over early education programs
17 [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding and
18 approve early education programs under AS 14.03.135 that meet the standards
19 adopted by the board under AS 14.07.165(a)(5);

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

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

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

1 construction or major maintenance project; for the purposes of this paragraph, "plans"
 2 include educational specifications, schematic designs, projected energy consumption
 3 and costs, and final contract documents;

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

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

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

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

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

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

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

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

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

30 * **Sec. 6.** AS 14.07.020(c) is amended to read:

31 (c) In this section, "early education program" ["PRE-ELEMENTARY

SCHOOL"] means a **program** [SCHOOL] for children ages three through five years if the **program's** [SCHOOL'S] primary function is educational.

* **Sec. 7.** AS 14.07.050 is amended to read:

Sec. 14.07.050. Selection of textbooks. Textbooks for use in the public schools of the state, including a district offered statewide correspondence study program, shall be selected by district boards for district schools. Nothing in this section precludes a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district. **Nothing in this section precludes the department from selecting and purchasing supplementary reading textbooks and materials for school districts in connection with reading intervention services provided under AS 14.07.065.**

* **Sec. 8.** AS 14.07 is amended by adding a new section to read:

Sec. 14.07.065. Literacy program. (a) A literacy program is established in the department, starting in the school year that begins in 2020, to provide direct support and intervention by the department in literacy programs of participating schools. In conducting the program, the department

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

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

(3) shall select up to 10 low-performing schools from those that apply to participate in the program using the criteria established in (1) of this subsection;

(4) shall employ and assign a department reading specialist for each selected school to direct the implementation of the reading intervention services established in AS 14.30.760 and 14.30.770 by

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

(B) coaching and mentoring teachers and staff in reading instruction, while prioritizing time in a way that has the greatest positive impact on student achievement;

1 (C) training teachers in data analysis and using data to
2 differentiate instruction;

3 (D) leading and supporting reading leadership teams;

4 (E) reporting on school and student performance to the
5 department;

6 (5) may employ and assign a supporting department reading specialist
7 for each selected school to, as necessary, either

8 (A) support the department reading specialist assigned under
9 (a)(4) of this section; or

10 (B) serve as a reading specialist for a school's early education
11 program;

12 (6) shall establish a reporting process for each reading specialist and
13 supporting reading specialist to submit updates to the department on program
14 implementation;

15 (7) shall work with the reading specialist to create specific
16 improvement goals for each selected school, including measures of interim progress;

17 (8) shall select and purchase additional reading material for each
18 selected school to supplement the reading intervention services;

19 (9) shall pay travel costs and associated costs for a department reading
20 specialist to attend relevant trainings identified by or hosted by the department; and

21 (10) shall periodically review staff development programs for their
22 effectiveness in developing reading skills and, after consultation with school districts
23 and experts, recommend to the state Board of Education and Early Development for
24 approval staff development programs that

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

27 (B) provide explicit and systematic skill development in the
28 areas of phonological awareness, phonics, fluency, vocabulary, and
29 comprehension;

30 (C) are scientifically based and reliable;

31 (D) provide initial and ongoing analysis of student progress

1 toward reaching reading competency; and

2 (E) include texts on core academic content to assist students in
3 maintaining or meeting grade-appropriate proficiency in academic subjects in
4 addition to reading.

5 (b) A school selected to participate in the literacy program shall

6 (1) ensure that the reading specialist is not required to perform
7 functions that divert from the duties assigned to the reading specialist by the
8 department;

9 (2) coordinate with the reading specialist to redesign the school's daily
10 schedule to provide time dedicated to literacy program activities, including reading
11 intervention services identified in a written agreement between the school and
12 department;

13 (3) hold a public meeting that includes a presentation on the literacy
14 program established in this section and the reading intervention services established in
15 AS 14.30.760 and 14.30.770; notice of the meeting must be provided to the parent or
16 guardian of each student at least seven days before the meeting date and the
17 presentation must include

18 (A) the data that the department used to identify the school as
19 eligible for the literacy program;

20 (B) a detailed overview of the literacy program and reading
21 intervention services;

22 (C) a timeline for implementing the reading intervention
23 services and meeting literacy improvement goals; and

24 (D) the implication of the program for students, families, and
25 educators;

26 (4) present an annual update on the literacy program, reading
27 intervention services, and implementation at the school at a noticed public meeting;

28 (5) create partnerships between the school, families, and the
29 community that focus on promoting literacy and increasing time spent reading.

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

- 1 (1) a completed application from each school selected to participate;
- 2 (2) the literacy program and reading intervention plan implemented by
- 3 each school selected to participate; and
- 4 (3) a data analysis of the success of the literacy program and reading
- 5 intervention services conducted by an independent contractor.

6 (e) In this section, "reading specialist" means a teacher certified under
 7 AS 14.20 who is employed and funded by the department and who meets the
 8 requirements established by the state Board of Education and Early Development in
 9 regulation.

10 * **Sec. 9.** AS 14.07.165(a) is amended to read:

11 (a) The board shall adopt

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

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

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

17 (4) regulations requiring approval by the board before **any** [A
 18 CHARTER SCHOOL, STATE BOARDING SCHOOL, OR A] public school may
 19 provide domiciliary services;

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

23 **(A) standards for a**

24 **(i) half-day program consisting of not less than two**
 25 **and one-half hours;**

26 **(ii) full-day program consisting of six hours; and**

27 **(iii) program that is less than half a day and that is**
 28 **locally designed and evidence-based;**

29 **(B) a requirement that the lead teacher of a program hold a**
 30 **valid teacher certificate issued under AS 14.20 and have**

31 **(i) satisfactorily completed a minimum of six credit**

hours in early childhood education or completes the minimum credit hours not later than one year after the date that the teacher's employment with the early education program begins; or

(ii) five or more years of experience teaching kindergarten or other early education program;

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

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

[REPEALED].

* **Sec. 10.** AS 14.17.500 is amended by adding a new subsection to read:

(d) Except as provided in AS 14.17.905(d), a student in an early education program approved under AS 14.03.135 is counted as one-half of a full-time equivalent student.

* **Sec. 11.** AS 14.17.905(a) is amended to read:

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

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

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

(A) one elementary school, which includes those students in grades kindergarten through six, and, except as provided in (d) of this section, those students in an early education program provided by a school district and approved by the department under AS 14.03.135; and

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

(3) in a community with an ADM of greater than 425, each facility that

1 is administered as a separate school shall be counted as one school, except that each
 2 alternative school with an ADM of less than 175 shall be counted as a part of the
 3 school in the district with the highest ADM.

4 * **Sec. 12.** AS 14.17.905 is amended by adding a new subsection to read:

5 (d) A school district may not include in the average daily membership of a
 6 school students who are four or five years of age if the students are enrolled in an early
 7 education program that receives state or federal funding, other than funding under this
 8 chapter.

9 * **Sec. 13.** AS 14.30 is amended by adding new sections to read:

10 **Article 15. Alaska Reads Act**

11 **Sec. 14.30.760. Alaska Reads Act.** (a) It is the intent of the legislature that

12 (1) district school board policies facilitate reading instruction and
 13 intervention services to address student reading needs;

14 (2) teachers receive tools and support to help students read at or above
 15 grade level;

16 (3) each student's progression from one grade to another be
 17 determined, in part, upon proficiency in reading;

18 (4) each student and student's parent be informed of the student's
 19 reading progress; and

20 (5) each student read at or above grade level by completion of grade
 21 three.

22 (b) The department shall establish a system of support for teachers of
 23 kindergarten through grade three in the state that incorporates the requirements of this
 24 section and additional components as determined by the department in regulation.

25 (c) Not later than July 1, 2020, the department shall adopt a statewide
 26 screening or assessment tool to identify students in kindergarten through grade three
 27 who may have a reading deficiency, including students with characteristics of
 28 dyslexia. The statewide screening or assessment tool must determine

29 (1) phonemic awareness, letter naming fluency, letter sound fluency,
 30 and letter word sound fluency of students in kindergarten;

31 (2) letter word sound fluency and oral reading fluency of students in

1 grade one; and

2 (3) vocabulary and oral reading fluency of students in grades two and
3 three.

4 (d) In adopting a statewide screening or assessment tool, the department shall
5 consider the following:

6 (1) the time required to conduct the screening or assessment, with the
7 intention of minimizing the impact on instructional time;

8 (2) the time required to report assessment results to teachers,
9 administrators, and parents; and

10 (3) the integration of the screening or assessment with student
11 instruction and department support.

12 (e) The department shall provide support to teachers of kindergarten through
13 grade three by

14 (1) administering the adopted screening or assessment tool three times
15 each school year once in the fall, once in the winter, and once in the spring, starting in
16 the school year beginning in 2020, unless the student achieves an acceptable
17 percentage above the grade level standard for reading proficiency on the first test of
18 the school year;

19 (2) providing a method of monitoring student progress;

20 (3) providing targeted instruction based on student needs as
21 determined by the statewide screening or assessment tool; and

22 (4) providing further support as determined by the department.

23 (f) The department shall train district staff members on using the results of the
24 statewide screening or assessment tool. The department shall also train staff on the
25 science of reading, including explicit and systemic instruction in phonological
26 awareness, alphabetic principle, decoding, fluency, vocabulary, comprehension, and
27 building content knowledge.

28 **Sec. 14.30.770. Comprehensive reading policy for school districts.** (a) Each
29 district shall offer reading intervention services to each student in kindergarten
30 through grade three who exhibits a reading deficiency to assist each student with
31 reading at or above grade level by the end of grade three. The district shall provide the

1 reading intervention services in addition to the core reading instruction that is
2 provided to all students in the general education classroom. The reading intervention
3 services must

4 (1) be provided by a district reading teacher to all students in
5 kindergarten through grade three identified with a reading deficiency, as determined
6 by the statewide screening or assessment adopted under AS 14.30.760(c);

7 (2) include explicit and systematic instruction in phonological
8 awareness, phonics, fluency, vocabulary, and comprehension, as applicable;

9 (3) use reading instruction and intervention methods that are based on
10 scientific research and have proven results in accelerating student reading achievement
11 within a single school year;

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

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

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

18 (7) be implemented during regular school hours through any available
19 method, including in-person or through online delivery by teachers or specialty
20 reading coaches; and

21 (8) be reviewed based on department-approved response to
22 intervention or multi-tiered system support models, addressing additional support and
23 services needed to remedy identified needs.

24 (b) In addition to participating in the reading intervention program under (a) of
25 this section, a student in kindergarten through grade three who exhibits a reading
26 deficiency based on a local or statewide screening or assessment, shall receive an
27 individual reading improvement plan. The reading improvement plan shall

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

30 (2) be created by the reading teacher, in consultation with the school
31 principal, parent or guardian, and other pertinent educational personnel;

1 (3) describe the research-based reading intervention services the
 2 student will receive to remedy the reading deficiency; and

3 (4) include a process for monitoring progress and adjusting the plan
 4 based on student needs.

5 (c) The reading intervention services and a student's individual reading
 6 improvement plan must be implemented both during and outside the school term to a
 7 student scoring at the lowest achievement level on the district screening or statewide
 8 reading assessment. Intensive reading programs outside of the school term must be
 9 staffed with reading teachers. Reading intervention services and individual reading
 10 improvement plans implemented outside of the school term must include, at a
 11 minimum, 70 hours of instructional time.

12 (d) If a student in kindergarten through grade three exhibits a reading
 13 deficiency at any time during the school year, the district or school shall notify the
 14 parent or legal guardian. The initial notification must be in writing and distributed not
 15 later than 15 days after the identification of the reading deficiency. The district or
 16 school shall provide the parent or guardian with updates on the student's progress
 17 every other week after the initial written notification. The initial written notification
 18 must

19 (1) state that the district identified the student as having a reading
 20 deficiency and that a reading improvement plan will be developed as identified in (b)
 21 of this section;

22 (2) describe current services that are provided to the student;

23 (3) describe the proposed research-based reading interventions and
 24 supplemental instructional services and supports that will be provided to the student
 25 that are designed to remedy the identified area of reading deficiency;

26 (4) explain that the parent or guardian will be informed in writing of
 27 the student's progress towards grade level reading at least every two weeks;

28 (5) identify strategies for the parent or guardian to use at home to help
 29 the student succeed in reading; and

30 (6) explain that there are serious implications to a student entering
 31 fourth grade with a significant reading deficiency and, that the parent or guardian, the

1 student's teacher, and other personnel of the district are required to meet and consider
 2 delayed grade-level progression as an intervention strategy and determine whether the
 3 student, despite having a significant reading deficiency, is able to maintain adequate
 4 academic progress at the next grade level.

5 (e) Nothing in this section prevents a school district from retaining a student
 6 in grade two or below under district standards and policies.

7 (f) Starting with the school year that begins in 2020, a student in grade three
 8 should demonstrate sufficient reading skills to progress to grade four. A student may
 9 demonstrate sufficient reading skills for progression by

10 (1) scoring above the lowest achievement level on the statewide
 11 reading screening or assessment;

12 (2) earning an acceptable score on an alternative standardized reading
 13 assessment as determined and approved by the state board of education; or

14 (3) demonstrating mastery of reading standards through a student
 15 reading portfolio, with criteria set by the department.

16 (g) A school board may exempt a student from delayed grade level
 17 progression for good cause. A good cause exemption is limited to

18 (1) a student with disabilities whose individualized education plan
 19 under AS 14.30.278 exempts the student from participation in the statewide
 20 assessment program;

21 (2) a student with disabilities who participates in the statewide reading
 22 assessment and has an individualized education plan under AS 14.30.278 or a plan
 23 under 29 U.S.C. 794, Section 504 of the Rehabilitation Act, that reflects that the
 24 student has received intensive reading intervention for more than two years but still
 25 demonstrates a deficiency in reading and was previously retained in kindergarten,
 26 grade one, grade two, or grade three;

27 (3) a student who has received intensive reading intervention for two
 28 or more years but still demonstrates a deficiency in reading and who was previously
 29 retained in kindergarten, grade one, two, or three; or

30 (4) a student learning English as a second language who has had less
 31 than two years of instruction in an English as a second language program.

(h) A parent or guardian may request that a student receive a good cause exemption under (g) of this section. To receive an exemption, the student's parent or guardian must submit documentation to the school's principal showing that an exemption is appropriate. If the principal determines that the student meets one of the exemptions in (g) of this section, the principal shall make the recommendation in writing to the school board. The school board must accept or reject the recommendation in writing and provide notice of this decision to the parent or guardian and the principal.

(i) Not later than 120 days before the end of a school year, a district or school must provide written notification to the parent or guardian of a grade three student if the student is a candidate for non-progression.

(j) Not later than 30 school days before the end of a school year, a district or school must provide written notification to the parent or guardian of a grade three student who does not demonstrate sufficient reading skills for progression to grade four. The notification must

(1) state that the student did not meet the requirements for grade progression;

(2) explain the implementation or identified intervention or progression strategies;

(3) describe the current services that are provided to the student; and

(4) if the parent or guardian made a request for a good cause exemption under (g) of this section and that request was rejected, include a statement that the request for a good cause exemption was rejected and a copy of the written notification from the school board.

(k) Starting with the school year that begins in 2020, a student retained under (d) of this section or a student who progresses to grade four with a good cause exemption must receive intensive reading intervention services to remedy the student's specific reading deficiency. Reading intervention services must include effective instructional strategies to accelerate student progress. A district shall conduct a review of the reading improvement plan for each student who is retained or who progresses to grade four with a good cause exemption. The review must address services and

support, in addition to the reading intervention program and the individual improvement plan, needed to remedy the identified area of reading deficiency. Additional services and support may include

(1) a transitional instructional setting that is specifically designed to produce learning gains;

(2) supplemental tutoring by a person with specialized reading training;

(3) more dedicated time than the previous school year in reading instruction and intervention methods as described in (a)(3) - (5) of this section, including more extensive opportunities for guided practice and more opportunities for error correction and feedback; and

(4) a plan for at-home reading outlined in a parental contract, including participation in parent training workshops and regular parent-guided home reading activities.

(l) A district shall establish at each school, where applicable, an intensive acceleration class for each student retained in grade three who was previously retained in kindergarten, grade one, or grade two. The class shall include criteria established under this section and

(1) have a reduced teacher-student ratio; and

(2) provide reading instruction and intervention for the majority of student contact time each day.

(m) Each public school shall include the following information when reporting on school and student performance under AS 14.03.120(d):

(1) the number and percentage of all students

(A) in kindergarten through grade three performing below grade level on the statewide reading screening or assessment, by grade;

(B) retained in kindergarten through grade three;

(C) in grade three who demonstrated sufficient reading skills for grade progression on the student reading portfolio;

(D) in grade three who demonstrated sufficient reading skills for grade progression on the statewide reading screening or assessment;

(E) in grade three who progressed for good cause, by category as specified in (f) of this section;

(2) for students beyond grade three, the performance of those with delayed progression and those who progressed with good cause exemptions on the statewide reading screening or assessment.

(n) Upon receipt of a written notification under (d)(6) of this section, the personnel of the student's school will work with the parent to schedule a date, time, and place for a meeting, not later than 45 days before the end of the school year, to determine the student's possible nonprogression. If the student's parent or guardian does not attend the meeting, the teacher and other personnel of the school will determine grade-level progression based on the standards of this section, including the exemptions listed in (g) of this section.

(o) In this section,

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

(2) "reading teacher" means a certified teacher who has demonstrated an effectiveness at instructing students to read at or above grade level through student reading performance data and teacher performance evaluations and who meets the requirements established by the state Board of Education in regulation.

*** Sec. 14.** AS 47.17.290(12) is amended to read:

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

*** Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT BY COMMISSIONER. Not later than 30 days after the effective date of sections 1 - 14 of this Act, the commissioner of education and early development shall submit a report to the state Board of Education identifying the progress made to implement secs. 1 - 14 of this Act.

*** Sec. 16.** AS 14.03.135 is repealed June 30, 2031.

1 * **Sec. 17.** Except as provided in sec. 16 of this Act, this Act takes effect July 1, 2020.