

introductory language of 4 AAC 06.759(b)(l) is amended to read:

(l) either changes a district improvement plan developed under [4AAC 06.840(h) And] 4 AAC 06.850 or requires the district to change that plan, the district shall submit a remediation plan subject to the department's approval, the remediation plan must provide

...

4 AAC 06.759(c) is amended to read:

(c) In determining under (b) of this section whether to approve a remediation plan, or whether remediation was deficient, the department will consider whether remediation addresses the domains [factors] described under 4 AAC 06.845(b) and 4 AAC 06.850(b).

4 AAC 06.840(j)(2). IN REQUIRING ADDITIONAL REMEDIATION UNDER (b) OF THIS SECTION, THE DEPARTMENT MAY REQUIRE OR PROVIDE ADDITIONAL REMEDIATION AT SCHOOLS THAT WERE NOT INCLUDED IN THE INSTRUCTIONAL AUDIT UNDER 4 AAC 06.840(j)]. (Eff. 12/21/2007, Register 184; am 10/16/2013, Register 208)

Authority: AS 14.03.075 AS 14.07.020 AS 14.07.060

4 AAC 06.800 is amended to read:

4 AAC 06.800. Purpose. The purpose of the school and district accountability system is to ensure that [BY SCHOOL YEAR 2013-14,] all students make growth in achievement and [will] reach proficiency or higher [better] in language arts and mathematics. (Eff. 11/23/2003, Register 168; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.802(2) is repealed:

(2) repealed 10/16/2013;

4 AAC 06.802(5) is repealed:

(5) repealed 10/16/2013. (Eff. 11/23/2003, Register 168; am 6/13/2004, Register 170; am 10/24/2004, Register 172; am 1/19/2006, Register 177; am 7/25/2007, Register 183; am 8/19/2009, Register 191; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.805 is repealed:

4 AAC 06.805. Adequate yearly progress. Repealed. (Eff. 11/23/2003, Register 168; am 9/11/2004, Register 171; am 10/24/2004, Register 172; am 7/9/2005, Register 175; am 8/21/2005, Register 175; am 7/25/2007, Register 183; am 11/1/2007, Register 184; am 10/3/2011, Register 200; repealed 10/16/2013, Register 208)

4 AAC 06.810 is repealed:

4 AAC 06.810. Performance and improvement. Repealed. (Eff. 11/23/2003, Register 168; am 9/11/2004, Register 171; am 10/24/2004, Register 172; repealed 10/16/2013, Register 208)

4 AAC 06.812 is repealed and readopted to read:

4 AAC 06.812. Alaska school performance index. (a) Each year, the department will determine a school performance index score for each school in the state, based on a 100-point scale. The index is the Alaska school performance index.

(b) Each factor included in the Alaska school performance index has a maximum of 100 points. The factors and the weighting of each factor in the index is as follows:

(1) for schools with students in grades kindergarten through eight.

(A) academic achievement, 35 percent;

(B) school progress, 40 percent;

(C) attendance rate, 25 percent;

(2) for schools with students in grades 9 - 12,

(A) academic achievement, 20 percent;

(B) school progress, 40 percent;

(C) attendance rate, 10 percent;

(D) graduation rate, 20 percent;

(E) college and career readiness indicator, eight percent;

(F) participation rate for the WorkKeys assessment, two percent;

(3) for schools with students in a combination of grades kindergarten through 12, the factors and weighting under (1) and (2) of this subsection, applied proportionally to the percentage of students enrolled in each grade span in the school as reported on the first day of testing under 4 AAC 06.737.

(c) Under the Alaska school performance index, a school's

(1) academic achievement score is the percent of all students tested on the state standards-based assessments described in 4 AAC 06.737 who score proficient or higher on the state assessments in reading, writing, and mathematics if the school meets or exceeds a 95 percent assessment participation rate under 4 AAC 06.820(a); if a school does not meet a 95 percent assessment participation rate, students who were not tested will be counted as not proficient;

(2) school progress score is the school's score on the growth and proficiency index described in 4 AAC 33.540, or a combination as calculated under this paragraph of the scores of the school and each of the school's subgroups on the index, up to a maximum of 100 points; for each of the subgroups listed in this paragraph that have more than five students enrolled at the school, 10 percent of the school's progress score consists of the subgroup's score on the growth and proficiency index; each subgroup included in the school score represents 10 percent of overall progress points and the all-student group represents the remaining percentage to total 100%; the four subgroups are

- (A) Alaska Natives and American Indians;
- (B) economically disadvantaged students;
- (C) students with disabilities; and
- (D) students with limited English proficiency;

(3) attendance rate shall be calculated as a percent as set out in 4 AAC 06.895(i), based on all students enrolled at the school, and the department will award points based on the following scale:

- (A) 96 - 100 percent, 100 points;
- (B) 93 - 95 percent, 95 points;

- (C) 90 - 92 percent, 80 points;
- (D) 85 - 89 percent, 50 points;
- (E) 70 - 84 percent, 25 points;
- (F) below 70 percent, zero points;

(4) graduation rate shall be calculated under 4 AAC 06.825, and the department will award points based on the following scale with schools permitted to use the higher graduation rate:

- (A) four-year or five-year rate of 98 - 100 percent, 100 points;
- (B) four-year rate of 90 - 97 percent, or five-year rate of 93 - 97 percent, 95 points;
- (C) four-year rate of 85 - 89 percent, or five-year rate of 89 - 92 percent, 90 points;
- (D) four-year rate of 80 - 84 percent, or five-year rate of 85 - 88 percent, 70 points;
- (E) four-year rate of 70 - 79 percent, or five-year rate of 80 - 84 percent, 50 points;
- (F) four-year rate of 60 - 69 percent, or five-year rate of 70 - 79 percent, 25 points;
- (G) four-year rate of 50 - 59 percent, or five-year rate of 60 - 69 percent, 10 points;
- (H) four-year rate below 50 percent, or five-year rate below 60 percent, zero points;

(5) college and career readiness indicator is the average score for all students in 12th grade enrolled on October 1 at the school who participated in the WorkKeys assessment, the ACT, the SAT, or a combination of two or more of those assessments, with points awarded for a student's achievement on one of those assessments based on the following scale:

(A) award of a WorkKeys gold or platinum certificate, an ACT score of 25 or higher, or an SAT score of 1680 or higher, 100 points;

(B) award of a WorkKeys silver certificate, an ACT score of 23 - 24, or an SAT score of 1560 - 1679, 95 points;

(C) award of a WorkKeys bronze certificate, an ACT score of 21 - 22, or an SAT score of 1450 - 1559, 80 points;

(D) no WorkKeys certificate, an ACT score below 21, or an SAT score below 1449, zero points; and

(6) participation rate for the WorkKeys assessment is the number of students in the 11th grade who took the WorkKeys assessment at least once, divided by the number of students in the 11th grade enrolled in the school on the first day that the WorkKeys assessment is offered.

(d) In this section,

(1) "ACT" has the meaning given in 4 AAC 43.900;

(2) "SAT" has the meaning given in 4 AAC 43.900;

(3) "WorkKeys" has the meaning given in 4 AAC 43.900.

(Eff. 11/1/2007, Register 184; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020 AS 14.07.170

4 AAC 06.815 is repealed and readopted to read:

4 AAC 06.815. Annual measurable objectives. (a) Not later than September 1 of the school year following a base year, the department will determine and notify each district of the annual measurable objectives for (1) the all-students group, for

(A) each school in the district;

(B) the district as a whole; and

(C) the state as a whole; and

(2) for each subgroup with five or more students in the school, district, or state.

(b) Each annual measurable objective established under (a) of this section is the percentage of students enrolled for a full academic year who are expected to score proficient or higher on the state reading, writing, and mathematics standards-based assessments described in 4 AAC 06.737.

(c) Each annual measurable objective established under (a) of this section is an increment over the percent proficient in the base year. The equal increments will be determined so that at the end of six years, the percent not proficient in the base year will be reduced by one-half. However, a district or school meets the annual measurable objective for

(1) the district or school if it meets the annual measurable objective calculated for the all-students group for the state as a whole; and

(2) a subgroup at the district or school if it meets the annual measurable objective for the subgroup for the state as a whole.

(d) The department will give each district or school a performance score for reading, writing, and mathematics for the all-students group and each subgroup with five or more

students. The performance score will be calculated based on the percentage of students who score proficient or higher on the state reading, writing and mathematics standards-based assessments described in

4 AAC 06.737, as compared to the total number of students tested who were enrolled for a full academic year.

(e) The initial base year for determining the initial annual measurable objectives is school year 2011 - 2012. With notice to districts, the commissioner may select a new base year when changes are made in the state assessments.

(f) In order to meet an annual measurable objective a school, a district, or the state must meet a 95 percent assessment participation rate under 4 AAC 06.820(a) in the all-students group and each subgroup.

(g) A school that does not assign students to grade levels shall assess students using the grade-level assessment that would apply if the school had standard grade levels based upon the number of years the student has been enrolled in school.

(h) In calculating whether a school or subgroup has met its annual measurable objective under this section, the department will include as proficient or higher students who test at the proficient level or higher on the alternate assessment, for those grades in which the alternate assessment is available under 4 AAC 06.775(b). However, for the purpose of determining whether an annual measurable objective has been met under this section, not more than one percent of the students in the district may be included as proficient or higher under the alternate assessment. (Eff. 11/23/2003, Register 168; am 7/9/2005, Register 175; am 9/4/2005, Register 175; am 9/7/2012, Register 203; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.820(a) is repealed and readopted to read:

(a) The participation rate on the state standards-based assessments described in 4 AAC 06.737 is computed by dividing the number of students that took at least one assessment by the number of students enrolled in tested grades on the first day of testing. Each school and district in the state shall ensure that at least 95 percent of the students enrolled in tested grades participate in the state assessments. However, if a school has 40 or fewer students, or a subgroup has at least five but not more than 40 students, the requirements for participation are satisfied if not more than two students from that school or subgroup do not participate in a state assessment. For purposes of this section, a student participates in a state assessment if the student receives a valid test score on one of the required state assessments.

4 AAC 06.820 is amended by adding new subsections to read:

(d) For purposes of measures of school and district accountability under 4 AAC 06.800 – 4 AAC 06.899, including measurements of participation and graduation rates, attainment of an annual measurable objective, and inclusion in the Alaska school performance index, the score of a student who participates in a state assessment and is enrolled at more than one school at a time will be included in the performance of the school at which the student is counted under 4 AAC 09.040 as more than 0.5 full-time equivalent. If the student cannot be counted under 4 AAC 09.040 as more than 0.5 full-time equivalent at any of those schools, the student's state assessment score and participation will be included in the performance of the school at which the student receives instruction in reading and writing.

(e) A district shall report to the state the enrollment of all students as of the first day of the administration of the state standards-based assessments under 4 AAC 06.737. The report must be on a form prepared by the department, and must include the student's student identification number, school, grade, and subgroup membership. The report shall be filed not later than 21 days following the first day of administration of the assessments. If, after reviewing the report, the department determines that a school or district has underreported the number of economically disadvantaged students in a school or district, the department will use data from other sources, including confidential public assistance data, to estimate the actual number of students in that subgroup.

(f) Notwithstanding any provision in this chapter, if a district enrolls a student who qualifies as a limited English proficient pupil under 4 AAC 34.090(2), and who first enrolls in a school in the United States after the previous school year administration of the state standards-based assessment, under 4 AAC 06.737, the district may

(1) excuse the student from participation in the state assessments in reading or writing; and

(2) elect not to include the student's score in any state assessment as part of measures of school and district accountability under 4 AAC 06.800 – 4 AAC 06.899, including measurements of participation and graduation rates, attainment of an annual measurable objective, and inclusion in the Alaska school performance index.

(g) Notwithstanding any provision in this chapter, a district may, on a case-by-case basis, exempt an individual student from a state standards-based assessment described in 4 AAC 06.737, if an unexpected severe medical condition prevents the student from participating in the administration of the assessment. The student will not be included as part of measures of

school and district accountability under 4 AAC 06.800 - 4 AAC 06.899, including measurements of participation and graduation rates, attainment of an annual measurable objective, and inclusion in the Alaska school performance index. The district shall retain documentation regarding the exemption, including medical records of the condition, with the student's permanent record and provide it to the department upon request.

(h) Notwithstanding any provision in this chapter, in a school year in which the results of a new state standards-based assessment selected under 4 AAC 06.737 are being used for the first time for school and district accountability, the commissioner may, by notice to the districts,

(1) limit new measures of school and district accountability imposed under 4 AAC 06.800 - 4 AAC 06.899; and

(2) retain existing measures of school and district accountability imposed under 4 AAC 06.800 – 4 AAC 06.899 for the previous school year for one additional school year. (Eff. 11/23/2003, Register 168; am 10/24/2004, Register 172; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.825 is repealed and readopted to read:

4 AAC 06.825. Graduation and attendance rates. (a) All schools and all school districts in the state shall set a target for a

(1) graduation rate of 90 percent or better, for the school as a whole and for each subgroup with at least five students, if the school enrolls students in grade 12; and

(2) attendance rate of 95 percent or better for the school as a whole and for each subgroup with at least five students enrolled in the school.

(b) For purposes of this section,

(1) "five-year graduation rate" means a fraction, the denominator of which is the sum of the number of students who enrolled in the ninth grade of the high school five years earlier, adjusting for transfers in and out, émigrés, and deceased students, and the numerator of which is the number of students in the school who graduate

(A) on or before June 30 of the reporting year;

(B) with a regular high school diploma; and

(C) within five years of first enrolling in a high school;

(2) "four-year graduation rate" means the graduation rate determined under 4 AAC 06.895(i);

(3) "graduation rate" means the

(A) four-year graduation rate; or

(B) five-year graduation rate. (Eff. 11/23/2003, Register 168; am 7/9/2005, Register 175; am 11/10/2005, Register 176; am 8/1/2008, Register 187; am 2/4/2011, Register 197; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.830 is repealed and readopted to read:

4 AAC 06.830. Subgroups (a) For purposes of school and district accountability under 4 AAC 06.800 – 4 AAC 06.899, including reporting requirements and the determination of a school's or district's annual measurable objectives, as required in 4 AAC 06.815, the results of state assessments will be reported for the following subgroups of students:

4 AAC 06.835. Star ratings. (a) Each year, after computation of the Alaska school performance index under 4 AAC 06.812, the department will make a preliminary designation of a star rating to each school based on the following:

- (1) an index score of 94 - 100, five stars;
- (2) an index score of 85 - 93.99, four stars;
- (3) an index score of 65 - 84.99, three stars;
- (4) an index score of 55 - 64.99, two stars;
- (5) an index score of 0 - 54.99, one star.

(b) Not later than July 1 of each year, the department will notify districts of the preliminary designation of the star rating of each school within the district. A designation of a school's star rating is final if the district does not, within 30 days after receipt of the preliminary designation, submit a request to have the designation reviewed under 4 AAC 06.875(b). (Eff. 11/23/2003, Register 168; am 7/9/2005, Register 175; am 9/4/2005, Register 175; am 8/20/2010, Register 195; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.840 is repealed and readopted to read:

4 AAC 06.840. Identification of priority and focus schools. (a) The department will

- (1) identify schools that are designated as the one- or two-star schools under 4 AAC 06.835, and that are most likely to benefit from a significant program of improvement, and increased support and oversight from the district and the department, and designate those schools as priority schools; and

(2) identify the schools in need of improvement and support at a level that is not as great as that of priority schools, and designate those schools as focus schools.

(b) In identifying a school as a priority or focus school, the department will consider

(1) the school's score on Alaska school performance index, including the reasons for the score;

(2) the achievement of the school's students on the state standards-based assessments described in 4 AAC 06.737, including the distribution of the students' scores among the proficiency levels and whether or not the school is meeting the annual measurable objective under 4 AAC 06.815, and participation rate under 4 AAC 06.820 in the assessments;

(3) the achievement of the four subgroups listed in 4 AAC 06.812(c)(2) on the state standards-based assessments described in 4 AAC 06.737, including the distribution of the subgroups' scores among the proficiency levels and whether or not each subgroup is meeting the annual measurable objective under 4 AAC 06.815 and participation rate under 4 AAC 06.820 in the assessments; a subgroup with fewer than five students will not be considered under this paragraph;

(4) the school's score on the growth and proficiency index under 4 AAC 33.540, both in the most recent year and averaged over three years;

(5) the school's size, including whether the school has a large enough enrollment to benefit from the comprehensive turnaround principles that will be required of a priority school under 4 AAC 06.864;

(6) the school's graduation rate;

(7) whether the school serves a unique population of students, including whether the school would benefit from the comprehensive turnaround principles required of a priority school under 4 AAC 06.864;

(8) the extent to which the school and district have already implemented effective comprehensive turnaround principles at the school; and

(9) other information and data received during a desk audit, including the consultation with the superintendent of the district, that affects the extent to which the school would benefit from the comprehensive turnaround principles required of priority schools under 4 AAC 06.864.

(c) In identifying schools as priority and focus schools, the department will ensure that the number of

(1) priority schools that are receiving funding under 20 U.S.C. 6301 - 6339 (Part A of Title I of the Elementary and Secondary Education Act) is at least five percent of all schools in the state receiving funding under 20 U.S.C. 6301 – 6339; and

(2) focus schools that are receiving funding under 20 U.S.C. 6301 - 6339 (Part A of Title I of the Elementary and Secondary Education Act) is at least 10 percent of all schools in the state receiving funding under 20 U.S.C. 6301 – 6339.

(d) The department may designate an additional school as a priority or focus school at any time, if the department makes findings that the school will benefit from the designation. A school designated as a priority school keeps that designation for three years, and every three years the department will identify and designate priority schools. A school designated as a focus school keeps that designation for two years, and every two years the department will identify and

designate focus schools. (Eff. 11/23/2003, Register 168; am 9/1/2006, Register 179; am 7/25/2007, Register 183; am 10/16/2012, Register 204; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.845 is repealed and readopted to read:

4 AAC 06.845. School improvement plan. (a) Not later than November 1 of each school year, a district shall prepare a school improvement plan for a school in the district that receives a star rating of one, two, or three stars under 4 AAC 06.835, and shall submit the plan to the department if the plan is for a school with that received one or two stars. A district shall require a school in the district that receives a star rating of four or five stars to prepare a school improvement plan if the school

(1) for two consecutive years, failed to meet its annual measurable objective under 4 AAC 06.815 for the school as a whole or for any subgroup at the school;

(2) for two consecutive years, experienced a decline in the school's growth and proficiency index score under 4 AAC 33.540 for one or more subgroups;

(3) enrolls students in grade 12, and experienced a decline in the school's graduation rate for the school as a whole or for any subgroup at the school; or

(4) has a participation rate of less than 95 percent under 4 AAC 06.820(a).

(b) Unless the department approves an alternative improvement planning process under (c) of this section, a school or district will prepare the school improvement plan required under (a) of this section through the use of a computerized self-assessment and improvement program selected by the department that addresses each of the following domains of successful schools:

- (1) curriculum;
- (2) assessment policy and practice;
- (3) instruction;
- (4) school learning environment;
- (5) professional development policy and practices;
- (6) leadership.

(c) The department may approve an alternative school improvement planning process under (b) of this section only if the

(1) school demonstrates that it is implementing an effective school improvement plan through the accreditation process under 4 AAC 04.300;

(2) school is designated a four- or five-star school under 4 AAC 06.835 and the school improvement plan is specific to a particular identifiable deficiency; or

(3) district in which the school is located can establish by a preponderance of the evidence that the school has an alternative school improvement planning process that will address as or more effectively than the program selected by the department

(A) each of the domains listed in (b) of this section; and

(B) each specific deficiency at the school identified by an audit or other process.

(d) If a school in a district has been designated a focus school under 4 AAC 06.840, the district shall consult with the department and draft for the school a school improvement plan under (a) of this section that complies with the requirements of 4 AAC 06.868 and is approved by the department. If a school in the district has been designated a priority school under 4 AAC 06.840, the district shall consult with the department and draft for the school a school

improvement plan under (a) of this section that complies with the requirements of 4 AAC 06.864 and is approved by the department. (Eff. 11/23/2003, Register 168; am 11/1/2007, Register 184; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.850 is repealed and readopted to read:

4 AAC 06.850. District improvement plan. (a) A district shall prepare and submit to the department a district improvement plan, or the department may prepare a district improvement plan for the district, if

(1) at least 25 percent of the schools in the district are designated one- or two-star schools under 4 AAC 06.835,

(2) at least 25 percent of the students in the district attend a school that is designated a one- or two-star school under 4 AAC 06.835;

(3) an instructional or desk audit at the district or schools in the district demonstrates significant deficiencies in the domains identified in 4 AAC 06.845(b); or

(4) an instructional or desk audit at the district shows that one or more subgroups in the district is not making progress toward the subgroup's annual measurable objective under 4 AAC 06.815.

(b) Unless the department approves an alternative improvement planning process under (c) of this section, a district shall prepare the district improvement plan required under (a) of this section through the use of a computerized self-assessment and improvement program selected by the department that addresses the domains of successful schools described in 4 AAC 06.845(b).

(c) The department may approve an alternative district improvement planning process only if the

(1) district improvement plan is specific to a particular identifiable deficiency; or

(2) district can establish by a preponderance of the evidence that the district has an alternative district improvement planning process that will address as or more effectively than the program selected by the department

(A) each of the domains listed in 4 AAC 06.845(b); and

(B) each specific deficiency at the district identified by an audit or other process. (Eff. 11/23/2003, Register 168; am 9/12/2008, Register 187; readopt 10/25/2008, Register 188; am 8/20/2012, Register 203; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.030 AS 14.50.080

 AS 14.07.020 AS 14.07.060

4 AAC 06.852(a) is amended to read:

4 AAC 06.852. Technical assistance. (a) If a school is designated **a one-, two-, or three-star school** [AS LEVEL 2 OR HIGHER] under 4 AAC 06.835(a), the district within which the school is located shall ensure that the school receives appropriate technical assistance as the school develops and implements its improvement plan under 4 AAC 06.845 and throughout the plan's duration.

4 AAC 06.852(c) is amended to read:

(c) Technical assistance must be based on [SCIENTIFICALLY BASED] research and include assistance in

(1) analyzing data from the state assessments, and other examples of student work, to identify and develop solutions to problems in

(A) instruction;

(B) implementing the requirements for parental involvement and professional development; and

(C) implementing the school improvement plan, including district-level and school-level responsibilities under the plan;

(2) identifying and implementing professional development and instructional strategies and methods that have proved effective, through [SCIENTIFICALLY BASED] research, in addressing the specific instructional issues that caused the [DISTRICT TO DESIGNATE THE] school **to receive a star rating of one, two, or three stars**; and

(3) analyzing and revising the school's budget so that the school allocates its resources more effectively to the activities most likely to

[(A)] increase student academic achievement [; AND

(B) REMOVE THE SCHOOL FROM ITS DESIGNATION]. (Eff.

11/23/2003, Register 168; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.855 is repealed:

4 AAC 06.855. School choice. Repealed. (Eff. 11/23/2003, Register 168; am 8/19/2009, Register 191; repealed 10/16/2013, Register 208)

4 AAC 06.860 is repealed:

4 AAC 06.860. Supplemental education services. Repealed. (Eff. 11/23/2003, Register 168; repealed 10/16/2013, Register 208)

4 AAC 06 is amended by adding a new section:

4 AAC 06.864. Priority schools. (a) A district shall implement an intervention consistent with comprehensive turnaround principles at each school that is identified as a priority school under 4 AAC 06.840. In designing and implementing the turnaround at the school, the district shall, after consulting with and obtaining the approval of the department, address each deficiency in the domains under 4 AAC 06.845(b), as identified in a desk or instructional audit, or through the computerized self-assessment and improvement program under 4 AAC 06.845(b).

(b) The comprehensive turnaround principles implemented by the district at a priority school must include

(1) a school calendar, including a determination of the school day, week, and year, that provides more time for student learning and teacher collaboration; a priority school shall provide at a minimum

(A) a dedicated time block each week for teacher collaboration;

(B) 90 minutes per day of core reading instruction for all students in grades kindergarten through six;

(C) additional time of at least 30 minutes per day of interventions in reading for students who are below grade level in reading in grades kindergarten through six;

(D) a dedicated time block each day for structured reading interventions for students in grades 7 - 12 who are below grade level in reading;

(E) 60 minutes per day of core mathematics instruction for all students in grades kindergarten through six; and

(F) a dedicated time block each day for structured mathematics interventions for students in grades 7 - 12 who are below grade level in mathematics;

(2) adoption of policies and taking actions that will ensure that all teachers at the school are effective teachers, including

(A) review of the effectiveness of each teacher at the school, conducted by the district and the principal of the school, including an examination of student learning data;

(B) replacement or improvement of ineffective teachers;

(C) requiring that teachers who transfer from other schools or districts be proven to be effective; and

(D) provision of job-embedded professional development that targets specific needs of the teachers and the students at the school;

(3) strengthening the instructional program at the school, including

(A) adoption and use of research-based curricula that are aligned with the standards adopted in 4 AAC 04.140;

(B) implementation of a reading curriculum that addresses the essential elements of reading; and

(C) implementation of reading and mathematics support programs for students who are behind grade level in reading or mathematics;

(4) using data to inform instruction, including

(A) use at least three times per year of a universal screening tool that is approved by the department for every student in grades kindergarten through eight;

(B) use of a diagnostic assessment to determine the specific deficiencies in reading or mathematics for all students who are one year or more below grade level in reading or mathematics; and

(C) basing instruction and interventions on the specific needs of the student, using data from the screening tool, the state standards-based assessments described in 4 AAC 06.737, a diagnostic assessment, and other assessments administered by the school;

(5) establishing a school environment that improves school safety and discipline, and addresses students' social, emotional, and health needs, including implementation of a school-wide behavior plan;

(6) providing for family and community engagement in the school, including cultural awareness and understanding of the cultural values of the students and the community; and

(7) providing strong leadership at the school, including

(A) a review of the performance of the principal at the school, including a review of student learning data;

(B) retention of the principal if the district demonstrates that the principal is performing at a level designated as fully functioning and operational in at least 80 percent of the indicators of the leadership domain under 4 AAC 06.845(b)(6); if a new

principal is hired, the district shall demonstrate to the department that the new principal can meet the requirements of this subparagraph; and

(C) providing the principal with flexibility in areas that the district determines should be tailored to the needs of the school; those areas may include scheduling, staff, curriculum, or budget.

(c) In addition to the comprehensive turnaround principles under (b) of this section, a district may implement with the approval of the department, or the department may require the district to implement, additional research-based educational improvement measures at a priority school.

(d) The department will remove a school from priority school status when the school

(1) has been identified as a priority school for at least three years;

(2) has improved by at least six points on the Alaska school performance index;

and

(3) has a three-year average on the growth and proficiency index under 4 AAC 33.540 for all students, and for each of the listed subgroups listed in 4 AAC 06.812(c)(2) at the school with at least five students, of at least 90 points.

(e) The department will identify a school that is not removed from priority school status after three years as a priority school for the next three years. After consultation with the district, the department will determine what additional interventions are necessary for the school.

Additional interventions may include a state-level intervention under 4 AAC 06.872. (Eff.

10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.865 is repealed:

4 AAC 06.865. Corrective action. Repealed. (RFF. 11/23/2003, Register 168; repealed 10/16/2013, Register 208)

4 AAC 06 is amended by adding a new section to read:

4 AAC 06.868. Focus schools. (a) A district shall implement the interventions in the school improvement plan under 4 AAC 06.845 for each school identified under 4 AAC 06.840 as a focus school in the district. In drafting the school improvement plan for the focus school, a district shall consult with the department and shall:

(1) consider each of the comprehensive turnaround principles under 4 AAC 06.864;

(2) implement interventions targeted at a subgroup at the school that is performing below grade level; and

(3) analyze data, including the results of a desk or instructional audit under 4 AAC 06.840, and implement appropriate interventions that target the deficiencies revealed through the data analysis.

(b) Each school year, not later than October 1 and after consultation with and approval of the department, a district shall increase the level of intervention in the focus school if the annual desk audit under 4 AAC 06.840 shows that the school has not made significant progress, including progress made by subgroups at the school.

(c) The department will remove a school from focus school status

(1) when the school has been identified as a focus school for at least two years;

(2) when the school has improved by at least five points in its three-year average on the growth and proficiency index under 4 AAC 33.540 for all students, and for each of the subgroups at the school with at least five students; and

(3) when the graduation rate has improved to more than 60 percent, if the school was identified as a focus school because it had a graduation rate of less than 60 percent,

(d) The department will identify a school that is not removed from focus school status after three years as a focus school for the next two years. After consultation with the district, the department will determine what additional interventions are necessary for the school. Additional interventions may include a state-level intervention under 4 AAC 06.872. (Eff. __/__/2013, Register __)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.870 is repealed:

4 AAC 06.870. Restructuring. Repealed. (Eff. 11/23/2003, Register 168; am 8/19/2009, Register 191; repealed 10/16/2013, Register 208)

4 AAC 06.872 is repealed and readopted to read:

4 AAC 06.872. State system of support; interventions. (a) For purposes of determining the level of state support and oversight to be provided to a district, no later than October 1 of each year, the department will designate each district in the state as a tier I, tier II, or tier III district. A tier III district receives the most state support and oversight; a tier I district the least.

(b) Before determining the level of state support and oversight for a school or the district under (a) of this section, the department

(1) will conduct a desk audit of each school in the state that is designated a one- or two-star school under 4 AAC 06.835;

(2) may conduct a desk audit of a district in which a one- or two-star school is located;

(3) may conduct a desk audit of a school that is designated a three-star school under 4 AAC 06.835 or the district in which a three-star school is located; and

(4) may conduct an instructional audit of a district in which a one-, two-, or three-star school is located.

(c) A district may request that the department conduct a desk audit or an instructional audit at one or more schools in the district, or of the district as a whole. As part of either the desk audit or instructional audit process, the department may require a school or district to provide additional information, including a self-assessment. To the extent permitted under federal law, the department may use federal programmatic funds allocated to the district to pay the cost of an instructional audit. If a district requests a desk or instructional audit, the department may require that that the district pay some or all of the cost of the audit.

(d) The department will base a district's tier designation under (a) of this section on

(1) the scores of schools and subgroups in the district on the Alaska school performance index and the growth and proficiency index under 4 AAC 33.540, including whether the scores of schools or subgroups have improved or decreased over a period of years;

(2) the results of a desk audit or instructional audit at the district or a school in the district, including any information provided by the superintendent of the district during the consultation with the superintendent during the audit;

(3) other evidence that relates to the district's need for support and oversight.

(e) After the department has determined under (a) of this section that a district is a tier III district, the department will send notice of this determination to the district. In the notice, the department will inform the district of the deficiencies that need to be remedied and a timetable for implementation and amendment of the district improvement plan developed under 4 AAC 06.850. Not later than 30 days after receiving the notice, the district shall take action under the timetable as required by the department, and shall verify in writing to the department that it has taken that action.

(f) The state level of support and oversight provided by the department to a tier II or tier III district will be tailored to the needs of the district or a school. The department will provide technical assistance to a tier III district regarding the implementation of the district improvement plan at a school in the district, unless the commissioner determines that technical assistance is not required. The department may provide technical assistance to a tier II district. Technical assistance may be provided by department personnel or by a contractor, and may include a site visit. The department may redirect money from the district's funding under AS 14.17 to pay for services by a contractor that the commissioner determines are necessary under this section. A district improvement plan for a tier III district must include

(1) adoption and implementation of reading and mathematics programs that are aligned to the state content standards adopted under 4 AAC 04.140;

(2) processes in place to facilitate teaching staff having collaborative discussions of individual student progress at least weekly; a superintendent of a tier III district shall verify that the collaborative meetings occurred;

(3) regular use of assessments that provide feedback for adjustment of ongoing teaching and learning in order to improve achievement of intended instructional outcomes; and

(4) school-level instructional management that provides professional development and technical assistance to staff and addresses instruction in the state content standards.

(g) The department may intervene in a school or district under AS 14.07.030(14) and (15), including redirecting funding or replacement of personnel with supervisory authority over the instructional practices at the school or district if

(1) a school's Alaska school performance index score that the department identified as a reason for implementing a program for improvement does not improve;

(2) a school or district is not meeting or making progress towards its annual measurable objectives for either the all-students groups or any individual subgroup;

(3) an instructional audit at the district reveals deficiencies in the district in the domains under 4 AAC 06.845(b); or

(4) district or school does not fully and timely implement with commitment a program that is required under

(A) this section;

(B) a school improvement plan under 4 AAC 06.845;

(C) a district improvement plan under 4 AAC 06.850;

(D) a priority school intervention under 4 AAC 06.864; or

(E) a focus school intervention under 4 AAC 06.868.

(h) The department will undertake an action under (g) of this section only after

- (1) giving the district notice and opportunity to be heard;
- (2) consideration of alternatives; and
- (3) the department determines in writing that the action will likely increase

student achievement at the school or district.

(i) The department will cease an intervention under AS 14.07.030(14) or (15) at a district if the district demonstrates three consecutive years of not less than two percent increases in student proficiency on the standards-based assessments in reading, writing, and mathematics described in 4 AAC 06.737. A district may petition the department at any time to cease or continue an intervention taken by the department or a designation of a district as a tier III district under this section. In considering whether to grant a petition under this subsection, the department will consider the

- (1) factors described in (a) and (b) of this section; and
- (2) public interest. (Eff. 9/12/2008, Register 187; readopt 10/25/2008, Register

188; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.030 AS 14.50.080
 AS 14.07.020 AS 14.07.060

4 AAC 06.8765(a) is amended to read:

(a) A district shall provide a notice of preliminary designation to a school before the final designation of a school under 4 AAC 06.835 [4 AAC 06.8335(a)]. In the notice, the

district shall include an opportunity to review the school-level data, including state assessment data, on which the preliminary designation is based.

4 AAC 06.875(d) is repealed:

(d) Repealed 10/16/2013.

4 AAC 06.875(e) is repealed:

(e) Repealed 10/16/2013.

4 AAC 06.875(f) is repealed:

(f) Repealed 10/16/2013. (Eff. 11/23/2003, Register 168; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.880(a) is amended to read:

(a) Throughout the school designation process, the department, district, or school shall communicate with the parents of each child attending the school that has received a designation **as a one- or two-star school** under 4 AAC 06.835.

The introductory language in 4 AAC 06.880(e) is amended to read:

(e) If **the department** [A DISTRICT] designates a school as **a one- or two-star school** [LEVEL 2 OR HIGHER UNDER] 4 AAC 06.835, the district shall promptly notify the parents of each student enrolled in the school of the designation. The notice must include

...

4 AAC 06.880(e)(4) is repealed:

(4) repealed 10/16/2013;

4 AAC 06.880(f) is repealed:

(f) repealed 10/16//2013.

The introductory language in 4 AAC 06.880(g) is amended to read:

(g) A district shall publish and disseminate to the parents of each student enrolled in the school, and to the public, information regarding any action taken by a school and the district to address the problems that led to designation of the school **as a one- or two-star school** under

4 AAC 06.835, including

...

4 AAC 06.880(g)(3) is amended to read:

(3) if applicable, a description of specific **interventions being undertaken by the district in a school** [CORRECTIVE ACTION OR RESTRUCTURING PLANS DEVELOPED] under 4 AAC 06.864 [4 AAC 06.865] or 4 AAC 06.868 [4 AAC 06.870]. (Eff. 11/23/2003, Register 168; am 8/19/2009, Register 191; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080

AS 14.07.020

4 AAC 06.882 is repealed:

4 AAC 06.882. Ranking of schools. Repealed. (8/20/2010, Register 195; repealed 10/16/2013, Register 208)

4 AAC 06.885 is repealed and readopted to read:

4 AAC 06.885. School recognition. (a) The department will recognize a school as a highest performing school if the school

(1) is in the highest 10 percent of all schools in the state on the Alaska school performance index for grade levels kindergarten through eight, 9 - 12, or kindergarten through 12;

(2) for schools that include grade 12, had a graduation rate for the two most recent years that averaged at least 85 percent; and

(3) for school year 2012 - 2013, made adequate yearly progress under 4 AAC 06.805 in school years 2010 - 2011, and 2011 - 2012; for school years after 2012 - 2013, met the annual measurable objectives under 4 AAC 06.815 in the prior two school years.

(b) The department will recognize a school as a high progress school if the school

(1) is in the highest 10 percent of all schools in the state on the growth and proficiency index under 4 AAC 33.540 for grade levels kindergarten through eight, 9 - 12, or kindergarten through 12;

(2) has an average growth and proficiency index score under 4 AAC 33.540 of at least 95 for all students over the last three years;

(3) has a growth and proficiency index score under 4 AAC 33.540 of at least 90 in the current year for each of the subgroups identified in 4 AAC 06.812(c)(2) with five or more members at the school; and

(4) for schools that include grade 12, had a graduation rate for the two most recent years that averaged at least 85 percent.

(c) The department will publish the names of all schools recognized under this section and will provide those schools with rewards and opportunities. The district in which a school recognized under this section is located shall publish the name of the school within the district, and shall provide rewards to the school. (Eff. 7/9/2005, Register 175; am 8/1/2008, Register 187; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
 AS 14.07.020

4 AAC 06.895(d)(3) is amended to read:

(3) a comparison between the performance score for the school or district and the **school's or district's** [STATE'S] annual measurable objective for that year as **determined under** [SET OUT IN] 4 AAC 06.815;

4 AAC 06.895(d)(4) is amended to read:

(4) a comparison between the performance score of students in each subgroup and the **subgroup's** [STATE'S] annual measurable objective for that year as **determined under** [SET OUT IN] 4 AAC 06.815;

4 AAC 06.895(f)(1) is amended to read:

(1) [IF ASSIGNED,] the **star rating** designation of each school in the district under 4 AAC 06.835(a) **and whether a school has been identified as a priority or focus**

school under 4 AAC 06.840; if a school in the district is designated at **one or two stars**

[LEVEL 2 OR HIGHER], the report must include

(A) the number of years the school has been designated at **one or two stars** [LEVEL 2 OR HIGHER];

(B) the reason the school received the designation in the current year and previous years, if applicable; and

(C) for districts, the number and percentage of schools that have been designated **one- or two-star schools** [AS LEVEL 2 OR HIGHER], and the number of years that schools in the district have had those designations;

4 AAC 06.895(m)(4) is amended to read:

(4) “performance score” means the score calculated under 4 AAC 06.815(d) [4 AAC 06.810]; (Eff. 11/23/2003, Register 168; am 8/19/2009, Register 191; am 2/4/2011, Register 197; am 6/30/2013, Register 206; am 10/16/2013, Register 208)

Authority: AS 14.03.120 AS 14.07.020 AS 14.07.060

4 AAC 06.899(10) is repealed:

(10) repealed 10/16/2013.

4 AAC 06.899 is amended by adding new paragraphs to read:

(17) “Alaska school performance index” means the index described in 4 AAC 06.812;

(18) "desk audit" means a review of student learning data at the school or district, including consultation with the superintendent of the district in which the school is located;

(19) "instructional audit" means a review of the instructional policies, practices, and methodologies of the district or one or more schools within the district; an instructional audit may include a review of the district's or school's

(A) curriculum, including whether the curriculum is aligned with the state's standards and grade level expectations adopted in 4 AAC 04.140;

(B) assessment policy and practice;

(C) instruction;

(D) school learning environment;

(E) professional development policy and practices; and

(F) leadership;

(20) "school" (A) has the meaning given "public school" in AS 14.60.010, except as provided in (C) of this paragraph; (B) includes

(i) an alternative school within the meaning given in 4 AAC 09.990;

(ii) a charter school established under AS 14.03.250 - 14.03.290;

(iii) a district correspondence program financed under AS 14.17.430 ;

(iv) the state boarding school established under AS 14.16;

(v) a school for the blind, school for the deaf, or other special mission school; and

(vi) a school located in a youth correctional facility;

(C) does not include a citizenship night school;

(21) “star rating” means the number of stars awarded to a school under 4 AAC 06.835 based on the school’s Alaska school performance index score;

(22) “student learning data” has the meaning given in 4 AAC 19.099. (Eff. 11/23/2003, Register 168; am 6/13/2004, Register 170; am 1/19/2006, Register 177; am 7/25/2007, Register 183; am 2/4/2011, Register 197; am 10/3/2011, Register 200; am 10/16/2013, Register 208)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 33.090(g)(2)(B) is amended to read:

(B) the program’s record of demonstrating [ADEQUATE YEARLY] progress in accordance with 4 AAC 06.800 - 4 AAC 06.899 (school and district accountability)

[UNDER 4 AAC 06.805] and the reasons for its success or failure to demonstrate

[ADEQUAT YEARLY] progress. (Eff. 10/22/2006, Register 180; am 6/8/2013, Register 206; am 10/16/2013, Register 208)

Authority: AS 14.07.020 AS 14.07.165
AS 14.07.060 AS 14.16.200

4 AAC 34.055(f) is repealed:

(f) Repealed 10/16/2013. (Eff. 1/14/78, Register 65; am 8/15/78, Register 67; am 6/28/87, Register 102; am 5/4/2000, Register 154; am 11/23/2003, Register 168; am 8/29/2004, Register 171; am 12/7/2004, Register 172; am 2/18/2007, Register 181; am 7/13/2012, Register 203; am 10/16/2013, Register 208)

Authority: AS 14.07.060

AS 14.17.420

AS 14.30.410