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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Linda Mattson
Department of Education and Early Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: November 25, 2020

RE: Filed Permanent Regulations: State Board of Education and Early Development

State Board of Education and Early Development regulation re: student assessments and school accountability (4 AAC 06.710 - 4 AAC 06.750; 4 AAC 06.800 - 4 AAC 06.899)

Attorney General File:	2019200860
Regulation Filed:	11/25/2020
Effective Date:	12/25/2020
Print:	236, January 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

The attached fifteen pages of regulations, dealing with updates to 4 AAC 06.710 - 4 AAC 06.899, Statewide Student Assessment and School and District Accountability are certified to be a correct copy of the regulation changes that the State Board of Education and Early Development adopted at its June 10-11, 2020, meeting, under the authority of AS 14.03.123, AS 14.07.020, AS 14.07.060, AS 14.07.165, and AS 14.50.080 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the State Board of Education and Early Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date:

9/24/2020



Michael Johnson, Commissioner
Department of Education and Early Development

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

November 25, 2020 at 4:13 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



for Lieutenant Governor Kevin Meyer

Effective: December 25, 2020.

Register: 23rd January 2021.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K-Meyer
.....

**KEVIN MEYER
LIEUTENANT GOVERNOR**

4 AAC 06.710(4) is amended to read:

(4) the assessments [ASSESSMENT] included [DESCRIBED] in 4 AAC 34.055 to identify English language proficiency. (Eff. 3/15/89, Register 109; am 8/7/92, Register 123; am 12/16/94, Register 132; am 10/21/99, Register 152; am 3/3/2000, Register 153; am 11/30/2001, Register 160; am 12/19/2002, Register 164; am 9/11/2004, Register 171; am 10/3/2011, Register 200; am 10/16/2012, Register 204; am 6/30/2013, Register 206; am 12/26/2014, Register 212; am 3/30/2016, Register 217; am 6/1/2018, Register 226; am 12/25/2020, Register 236)

Authority: AS 14.07.020

AS 14.07.060

4 AAC 06.710(1) is amended to read:

(1) a standards-based test to measure student attainment of the state's standards as described in 4 AAC 06.737 [4 AAC 06.737(a)];

changed

The editor's note following 4 AAC 06.737 is amended to read:

Editor's Note: [COPIES OF THE] English/Language Arts and Mathematics Standards

[ALASKA STANDARDS: CONTENT AND PERFORMANCE STANDARDS FOR ALASKA

STUDENTS], adopted by reference in 4 AAC 04.140 [4 AAC 06.737], may be obtained by

writing to the Department of Education & Early Development, 801 West 10th Street, Suite 200,

P.O. Box 110500, Juneau, Alaska 99811-0500 or at www.education.alaska.gov/standards

[WWW.EED.ALASKA.GOV/STANDARDS/].

4 AAC 06.738 is amended to read: all lowercase

all keep the period boldface

4 AAC 06.738. Assessment Results [STANDARDS-BASED TEST RESULTS]. (a)

Except as provided by this section, all student [A STUDENT'S STANDARDS-BASED TEST AND ALTERNATE] assessment results as described in 4 AAC 06.710 are confidential and may not be disclosed by a district except as provided by 34 C.F.R. Part 99, dealing with family educational rights and privacy.

(b) The commissioner shall compile the results of the standards-based test, [AND] alternate assessment, and the English language proficiency assessments by school district, school, classroom, and individual, and shall annually provide school results to the board and the legislature.

(c) The commissioner shall provide to a school district the district, school, classroom, and individual student results for the district.

(d) [WITHIN 20 DAYS AFTER] After receiving test results from the commissioner or test publisher, a school district shall distribute

(1) class and individual student results to each teacher, for the teacher's classes and students not later than the date decided by the commissioner and announced by the department; [HOWEVER, IF A DISTRICT IS UNABLE TO DISTRIBUTE THE RESULTS TO TEACHERS BEFORE THE END OF THE SCHOOL YEAR IN WHICH THE ASSESSMENT WAS ADMINISTERED, THE DISTRICT MUST DISTRIBUTE THE RESULTS TO TEACHERS IN THE DISTRICT NO LATER THAN THE FIRST DAY THAT SCHOOL IS IN SESSION IN THE NEXT SCHOOL YEAR;] and

(2) individual student results to each student's parents not later than the date decided by the commissioner and announced by the department. (Eff. 3/3/2000, Register 153; am 12/19/2002, Register 164; am 11/10/2005, Register 176; am 10/3/2011, Register 200; am 12/25/2020, Register 236)

Authority: AS 14.03.075

AS 14.07.020

AS 14.07.060

4 AAC 06.739(b) is amended to read:

(b) Achievement levels for English language arts and mathematics are advanced, proficient, below proficient, or far below proficient. Students obtaining achievement levels of proficient or advanced meet standards. To obtain an achievement level of advanced, proficient, below proficient, or far below proficient in English language arts and mathematics, a student must obtain a score as set out in the following table:

in Publisher: Delete this column. »

Proficiency Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	[GRADE 10]
Reading: Advanced	392 or above	415 or above	418 or above	394 or above	406 or above	402 or above	382 or above	[400 OR ABOVE]
Reading: Proficient	300-391	300-414	300-417	300-393	300-405	300-401	300-381	[300-399]
Reading: Below Proficient	261-299	260-299	251-299	234-299	246-299	243-299	229-299	[222-299]
Reading: Far Below Proficient	260 or below	259 or below	250 or below	233 or below	245 or below	242 or below	228 or below	[221 OR BELOW]
Writing: Advanced	402 or above	420 or above	406 or above	396 or above	423 or above	460 or above	470 or above	[485 OR ABOVE]
Writing: Proficient	300-401	300-419	300-405	300-395	300-422	300-459	300-469	[300-484]
Writing: Below Proficient	218-299	204-299	187-299	215-299	234-299	232-299	238-299	[233-299]
Writing: Far Below Proficient	217 or below	203 or below	186 or below	214 or below	233 or below	231 or below	237 or below	[232 OR BELOW]
Mathematics: Advanced	390 or above	383 or above	373 or above	376 or above	383 or above	379 or above	370 or above	[392 OR ABOVE]
Mathematics: Proficient	300-389	300-382	300-372	300-375	300-382	300-378	300-369	[300-391]
Mathematics: Below Proficient	263-299	260-299	252-299	258-299	248-299	258-299	258-299	[252-299]

(Eff. 3/16/2001, Register 157; am 11/23/2003, Register 168; am 9/4/2005, Register 175; am 5/18/2006, Register 178; am 9/3/2006, Register 179; am 9/27/2008, Register 187; am 4/6/2016, Register 218; am 2/16/2018, Register 225; am 12/25/2020, Register 236)

Authority: AS 14.03.015

AS 14.07.030

AS 14.07.060

AS 14.07.020

4 AAC 06.761(b) is amended to read:

(b) A district shall administer an assessment under this section only in a school test center designated by each district. Each school test center must be secure, free of disruptions, have an established seating arrangement, and be well lighted. Only [TRAINED AND] designated district **staff** [TEST COORDINATORS, ASSOCIATE TEST COORDINATORS, PROCTORS, OR TEST ADMINISTRATORS] may be in the test center rooms at the time of testing students.

4 AAC 06.761(c) is amended to read:

(c) Each district shall designate an employee of the district as the district test coordinator. In districts with two or more school test centers, the district shall designate an on-site **building** [ASSOCIATE] test coordinator for each center. The district test coordinator or **building** [ASSOCIATE] test coordinator shall assign as many test administrators [OR PROCTORS] to each school test center as necessary to ensure adequate supervision or monitoring of students taking the assessment. Each **district** test coordinator, **building** [ASSOCIATE] test coordinator, [PROCTOR,] and test administrator must execute an agreement, on a form provided by the department, affirming that the test procedures of the department and test publisher will be followed. (Eff. 10/3/2011, Register 200; am 12/25/2020, Register 236)

Authority: AS 14.03.015

AS 14.07.020

AS 14.07.060

4 AAC 06.765(a) is amended to read:

(a) All test questions on standards-based tests provided for in 4 AAC 06.737, the alternate assessment taken under 4 AAC 06.775, [COLLEGE AND CAREER READINESS ASSESSMENTS TAKEN UNDER 4 AAC 06.718,] and the English language proficiency assessments [ASSESSMENT] provided for in 4 AAC 34.055[,] are confidential[,] and may be disclosed only as provided in this section.

4 AAC 06.765(c) is amended to read:

(c) School and district personnel responsible for test administration shall

(1) inventory and track secure [TEST] materials from the time the materials arrive at the school or district office until the time the materials are returned to the test publisher;

(2) securely store secure materials [TESTS] before distribution to school test centers and after their return;

(3) control distribution of secure materials [TESTS] to and from school test centers;

(4) control the storage, distribution, administration, and collection of secure materials [TESTS]; and

(5) ensure that no test or test question is copied in any manner, whether on paper or by electronic means.

4 AAC 06.765(d)(1) is amended to read:

(1) label [CODE] the tests according to test administration directions before testing;

4 AAC 06.765(d)(7) is amended to read:

(7) ensure that no individual receives a copy of the test, or learns of a specific test question or item, before the test date and time set by the commissioner (b) of this section under 4 AAC 06.765(b), unless knowledge of the question or item is necessary for delivery of accommodations under 4 AAC 06.775;

(Eff. 3/3/2000, Register 153; am 2/18/2007, Register 181; am 10/3/2011, Register 200; am 6/30/2013, Register 206; am 12/26/2014, Register 212; am 6/1/2018, Register 226; am 12/25/2020, Register 236)

Authority: AS 14.07.020

AS 14.07.060

← "insert circled text from page 15 here" →

4 AAC 06.775(b) is amended to read:

(b) The commissioner shall select an alternate assessment for use in the [THIS] state[, TO BE KNOWN AS THE ALASKA ALTERNATE ASSESSMENT,] for assessment of students with significant cognitive disabilities who are not able to complete either regular curricular offerings or substitute courses under 4 AAC 06.078 that would lead to a diploma. A student's eligibility for an alternate assessment [THE ALASKA ALTERNATE ASSESSMENT] shall be established in the student's IEP in accordance with the criteria in the

Participation Guidelines for Inclusion of Alaska Students in State Assessments, adopted by reference in (a) of this section. Each district shall administer the alternate assessment [Alaska

Alternate Assessment] to eligible students whenever it administers the standards-based [STATE] assessments described in 4 AAC 06.737 [4 AAC 06.710]. Achievement levels for the English language arts, mathematics, and science alternate assessment [ALASKA ALTERNATE ASSESSMENT] are advanced, at target, approaching target, or emerging.

Students obtaining an achievement level of advanced or at target meet standards. For the purposes of reporting and accountability in 4 AAC 06.800 - 4 AAC 06.899, the department will include as proficient those students who score at the target or advanced achievement levels on the alternate assessment for English language, arts, mathematics, and science. To obtain an achievement level in

(1) English language arts, and mathematics on the alternate assessment [Alaska

Alternate Assessment], a student must obtain a score as set out in the following table:

Achievement Grade 3 Grade 4 Grade 5 Grade 6 Grade 7 Grade 8 Grade 9 Grade 10

English
language
arts:

Advanced 71 or
above 75 or
above 76 or
above 65 or
above 73 or
above 72 or
above 68 or
above 72 or
above

English
language
arts:

At

Target 50-70 57-74 53-75 46-64 52-72 48-71 48-67 47-71

English
language
arts:

Approaching

Target 36-49 38-56 35-52 27-45 27-51 23-47 20-47 17-46

English
language
arts:

Emerging 35 or
below 37 or

Publisher: Table is unchanged from
how it is set out and formatted in
the printed Alaska Administrative Code

below 34 or
 below 26 or
 below 26 or
 below 22 or
 below 19 or
 below 16 or
 below

Mathematics

Advanced 37 or
 above 56 or
 above 48 or
 above 38 or
 above 53 or
 above 53 or
 above 33 or
 above 36 or
 above

Mathematics:

At Target 21-36 30-55 32-47 28-37 37-52 40-52 21-32 21-35
 Mathematics:

Approaching
 Target 12-20 20-29 15-31 13-27 19-36 17-39 10-20 8-20
 Mathematics:

Emerging 11 or
 below 19 or
 below 14 or
 below 12 or
 below 18 or
 below 16 or
 below 9 or
 below 7 or
 below

all lowercase!!!



(2) Science on the alternate assessment [ALASKA ALTERNATE

ASSESSMENT], a student must obtain a score as set out in the following table:

Achievement Level	Grade 4	Grade 8	Grade 10
Science: Advanced	21 or above	23 or above	23 or above
Science: At			

(((Publisher: Table is unchanged from how it is set out in the printed Alaska Administrative Code)))

Register 236, January 2020

EDUCATION AND EARLY DEV.

Target Science: 15-20 16-22 16-22

Approaching Target Science: 9-14 10-15 8-15

Emerging 8 or below 9 or below 7 or below

(Eff. 12/19/2002, Register 164; am 9/17/2004, Register 171; am 11/10/2005, Register 176; am 10/18/2007, Register 184; am 11/10/2007, Register 184; am 9/27/2008, Register 187; am 6/11/2010, Register 194; am 10/3/2011, Register 200; am 4/20/2012, Register 202; am 12/26/2014, Register 212; am 3/4/2015, Register 213; am 5/15/2015, Register 214; am 3/30/2016, Register 217; am 4/6/2016, Register 218; am 2/16/2018, Register 225; am 6/1/2018, Register 226; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.075 AS 14.07.060 AS 14.07.165
AS 14.07.020

Editor's note:

changed

The editor's note following 4 AAC 06.775 is amended to read:

The [COPIES OF THE] Department of Education and Early Development's **Participation**

Guidelines for Inclusion of Alaska Students on State Assessments [PARTICIPATION

GUIDELINES AND ALASKA SUPPLEMENT FOR WORKKEYS ASSESSMENT], adopted by reference in 4 AAC 06.775, is [ARE] available by submitting a written request addressed to the department at 801 West 10th Street, Suite 200, P.O. Box 110500, Juneau, Alaska 99811-0500 or may be obtained on the department's website at

education.alaska.gov/assessments/accommodations

[HTTP://EED.ALASKA.GOV/TLS/ASSESSMENT/ACCOM-

cc Publisher: Table is unchanged from how it is set out in the printed Alaska Administrative Code)))

MODATIONS/HTML. A COPY OF THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT'S ALASKA NONSTANDARDIZED ASSESSMENT ADMINISTRATIVE MANUAL, ADOPTED BY REFERENCE IN 4 AAC 06.775, IS AVAILABLE BY SUBMITTING A WRITTEN REQUEST ADDRESSED TO THE DEPARTMENT AT 801 WEST 10TH STREET, SUITE 200, P.O. BOX 110500, JUNEAU, ALASKA 99811-0500 OR MAY BE OBTAINED ON THE DEPARTMENT'S WEBSITE AT [HTTP://EED.ALASKA.GOV/LS/ASSESSMENT/MODIFIED=HRZNONSTANDARD/NONSTANDARDIZED.MANUAL2010.PDF](http://eed.alaska.gov/vls/assessment/modified=hrznonstandard/nonstandardized.manual2010.pdf)].

4 AAC 06.812(a) is amended to read:

(a) Each year, the department will determine a school performance index value [score] (((Conf))) for each school in the state that meets the minimum criteria in (e) of this section, based on a 100-point scale. The department will determine a school designation for all schools in the state as described in 4 AAC 06.840.

(Eff. 11/1/2007, Register 184; am 10/16/2013, Register 208; am 11/13/2014, Register 212; am 3/6/2015, Register 213; am 10/20/2018, Register 228; am 12/29/2020, Register 236)

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(f) is amended to read:

(f) Not later than 30 days after the release of preliminary goals and measures of interim progress [SEPTEMBER 1 OF] each year, the department will produce a report for the state and each district and school showing the performance for academic achievement,

graduation rate, and English learner progress as compared to the long-term goals and measures of interim progress and an indication of whether the targets have been met. (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 10/19/2013, Register 208; am 11/13/2014, Register 212; am 10/9/2015, Register 216; am 4/6/2016, Register 218; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.123

AS 14.07.060

AS 14.50.080

AS 14.07.020

in (b) of this section

4 AAC 06.825(a) is amended to read:

(a) A school serving students in grade 12 will earn points for the graduation rate indicator using graduation rates from the previous academic year. A school will earn between zero and 100 points for the four-year graduation rate for the all-students group, and between zero and 100 points for the five-year graduation rate for the all-students group as defined ⁽¹⁰⁾below. At least ⁽¹⁰⁾ten students must be in the adjusted graduation rate cohort in order to include the graduation rate indicator in the school's performance score. (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 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.123

AS 14.07.060

AS 14.50.080

AS 14.07.020

4 AAC 06.845(a) is amended to read:

(a) Not later than 150[#][60] days after receiving notice of designation for comprehensive support and improvement under 4 AAC 06.840(a) or targeted support and improvement under 4

AAC 06.840(b), a district or school shall prepare a school improvement plan as required under 4 AAC 06.864 or 4 AAC 06.868 as applicable. The district or school shall review, revise, and update the applicable school improvement plan at least annually, and submit it to the department or district as applicable.

(Eff. 11/23/2003, Register 168; am 11/1/2007, Register 184; am 10/16/2013, Register 208; am 11/13/2014, Register 212; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 06.850(a) is amended to read:

(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 a district has been designated as tier II or tier III under 4 AAC 06.872(a). The district improvement plan must be submitted to the department not later than **150 days from receiving notice of school**

designations [NOVEMBER 15 OF] each school year. The improvement plan must be submitted in a format or computerized platform as required by the department, unless the department approves an alternative format or platform.

(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; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

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

4 AAC 06.868(c) is amended to read:

(c) Each school year, not later than **60 days after designations are received by the district** [OCTOBER 1] and after consultation with and approval of the department, a district shall increase the level of intervention in a school designated for targeted support and improvement if the annual review of the performance of the students in the subgroup on the indicators described in 4 AAC 06.812 - 4 AAC 06.826, including student performance against long-term goals, shows that the subgroups for which the designation of targeted support and improvement were based have not made significant progress. (Eff. 10/16/2013, Register 208; am 11/13/2014, Register 212; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 06.872(a) is amended to read:

not (a) For purposes of determining the level of state support and oversight to be provided to a district, no later than **60 days after the release of school designations** [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.

(Eff. 9/12/2008, Register 187; readopt 10/25/2008, Register 188; am 10/16/2013, Register 208; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

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

4 AAC 06.875(c) is amended to read:

(c) **Not later than** [WITHIN] 20 working days after the district receives notice of the preliminary score and designation[, AND NO LATER THAN SEPTEMBER 1], the commissioner or the commissioner's designee will issue a final determination on the score and designation of a school for which the district provided supporting evidence in accordance with (b) of this section.

(Eff. 11/23/2003, Register 168; am 10/16/2013, Register 208; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.123 AS 14.07.060 AS 14.50.080
AS 14.07.020

4 AAC 06.895(a) is amended to read:

(a) Each public school and district in the state shall comply with the reporting requirements of AS 14.03.120 and **the requirements of** this section. Each school shall prepare a school report, to be entitled School Report Card to the Public, **following requirements** [ON A FORM] (i.e. state)) provided by the department. Each district shall prepare a district report, to be entitled School District Report Card to the Public, **following requirements** [ON A FORM] provided by the department. (i.e. state))

(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; am 11/13/2014, Register 212; am 12/26/2014, Register 212; am 3/6/2015, Register 213; am 10/9/2015, Register 216; am 2/5/2017, Register 221; am 10/20/2018, Register 228; am 12/25/2020, Register 236)

Authority: AS 14.03.120 AS 14.07.020 AS 14.50.080
AS 14.03.123 AS 14.07.060

4 AAC 06.899(2) is amended to read:

(2) "Alaska Native" means a person having origins in any of the Alaska Native Tribes in Alaska [WHO IS A DESCENDANT OF, AND WHO HAS AT LEAST ONE-QUARTER BLOOD DERIVED FROM,

(A) A MEMBER OF THE ABORIGINAL PEOPLES INHABITING THE STATE WHEN ANNEXED TO THE UNITED STATES; OR

(B) AN AMERICAN INDIAN OR ESKIMO WHO, AFTER 1867 AND BEFORE JUNE 30, 1952, MIGRATED INTO THE STATE FROM CANADA];

(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; am 11/13/2014, Register 212; am 4/6/2016, Register 218; am 2/5/2017, Register 221; am 10/20/2018, Register 228; am 12/25/2019, Register 236)

Authority: AS 14.03.123

AS 14.07.060

AS 14.50.080

AS 14.07.020

included text is to be followed at spot marked on page 6



4 AAC 06.775(a) is amended to read:

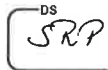
(a) When administering to students with disabilities the statewide assessments under 4 AAC 06.710, a district shall follow the requirements of this section and the department's Participation Guidelines for Inclusion of Alaska Students in State Assessments, 2020 edition [DATED DECEMBER 2017], adopted by reference.

new text

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Date: November 25, 2020

File No.: 2019200860

Tel. No.: 465-3600

From: Steven C. Weaver *scw*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: State Board of Education and Early
Development regulations re: student
assessments and school
accountability (4 AAC 06.710 -
4 AAC 06.750; 4 AAC 06.800 -
4 AAC 06.899)

The Department of Law has reviewed the attached regulations of the State Board of Education and Early Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the State Board of Education and Early Development after the close of the public comment period.

The regulations update provisions relating to student assessments and the accountability of schools and school districts. Included is an update to one of the adopted-by-reference materials: the Department of Education and Early Development's *Participation Guidelines for Inclusion of Alaska Students in State Assessments* (2020 edition). During the period of public notice, the updated document was available for public review and comment. The State Board of Education and Early Development had the updated version as part of the materials that it reviewed on the record, and the board amended 4 AAC 06.775(b) with the assumption that the 2020 edition was being adopted by reference. Through an inadvertent administrative omission, however, the regulations that the board adopted did not include a conforming amendment to 4 AAC 06.775(a): the provision that actually adopts by reference the *Participation Guidelines*. Our edits include the necessary conforming change to update the adoption-by-reference language in 4 AAC 06.775(a). This correction is technical, and the administrative omission is not a substantive violation of the Administrative Procedure Act.

The December 23, 2019 public notice, the May 26, 2020 supplemental public notice, and the June 24, 2020 certification of adoption order all state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: Michael Johnson, Commissioner
Department of Education and Early Development

Linda Mattson, Regulations Contact
Department of Education and Early Development

Deb Riddle, Division Operations Manager
Division of Assessment and Accountability
Department of Education and Early Development

Luann E.B. Weyhrauch, Senior Assistant Attorney General
Public Corporations and Governmental Services Section

Susan Sonneborn, Senior Assistant Attorney General
Public Corporations and Governmental Services Section

NOTICE OF PROPOSED CHANGES REGARDING STATEWIDE STUDENT ASSESSMENT AND
SCHOOL AND DISTRICT ACCOUNTABILITY IN THE REGULATIONS OF
THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: The proposed amendments would update requirements and deadlines in the statewide student assessment and school and district accountability regulations.

The Department of Education and Early Development proposes to adopt regulation changes in Title 4 of the Alaska Administrative Code by changing Article 4 Statewide Student Assessment regulations (4 AAC 06.700 – 4 AAC 06.790) and Article 5 School and District Accountability (4 AAC 06.800 – 4 AAC 06.899).

The proposed regulation changes update the names of the required statewide assessments and include language regarding the alternate assessment used for students with the most significant cognitive disabilities. The proposed regulation changes update assessment procedures and the district reporting deadline and clarify when districts need to inform educators and parents about assessment results. The proposed changes also update the *Participation Guidelines for Inclusion of Alaska Students in State Assessments*, 2020 Edition, that is proposed to be adopted by reference. Conforming changes are proposed in the *Participation Guidelines* to update, clarify, and better organize the standards for the inclusion of students in state assessments.

Proposed changes in the accountability regulations will address state and district deadlines for reporting. The new deadlines reflect the current accountability system calculations and associated data collections used to create school designations and calculations for long term goals and measures of interim progress. The proposed changes include the use of prior year's graduation rates so that school designations may be released earlier in the school year.

The Department of Education and Early Development invites the public to submit written comments during the written comment period, which begins with the date of this notice and ends on January 22, 2020, at 4:30 p.m. The written comment period closes in advance of the meeting of the State Board of Education and Early Development at which the board will consider the adoption of the proposed regulations. This allows the Department of Education and Early Development an opportunity to prepare changes based on written comment and to distribute any proposed changes to the board for its consideration prior to the meeting.

You may comment in writing on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Commissioner's Office, Department of Education and Early Development, Attn: Regulations Review, 801 West Tenth Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500.

You also may submit written comments by facsimile at (907) 465-4156; by electronic mail to [Linda Mattson](mailto:Linda.Mattson@alaska.gov); and online at the website of the Department of Education and Early Development at <https://education.alaska.gov/regsg/comment.cfm>. Written comments also may be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link.

All written comments must be received not later than 4:30 p.m. on January 22, 2020.

After the written comment period has ended, you may submit oral comments to the State Board of Education and Early Development at a hearing to be held by the board on March 26, 2020, by audio-conference or in person at the Department of Education and Early Development Board

Room, 801 West Tenth Street, Juneau, AK 99801. The hearing will be held from 9:10 a.m. to 11:10 a.m. but may be extended to accommodate those present before 9:00 a.m. who have not had an opportunity to comment before 11:10 a.m.

You may submit oral comments at this hearing, during this time only, via the Legislative Information Office streaming by calling 1-844-586-9085 if you are outside of Juneau or Anchorage. For participation from Juneau, call 586-9085. For participation from Anchorage, call 563-9085.

You also may submit oral comment by visiting your local Legislative Information Office (LIO). The following LIO's will participate: Anchorage, 716 W 4th Ave., Suite 100; Barrow, 119 Bank Bldg.; Bethel, 301 Willow St.; Cordova, 418 First St., Suite A; Delta Junction, Colombo Building, Suite 204, 1380 Richardson Hwy.; Dillingham, Kangiiqutaq Bldg.; Fairbanks, 1292 Sadler Way, Suite 308; Glennallen, 186 Glenn Hwy.; Homer, 270 West Pioneer Ave., Suite B; Juneau, Room 111 Terry Miller Bldg.; Kenai, 145 Main St. Loop, Suite 217; Ketchikan, 1900 First Ave., Suite 310; Kodiak, 305 center Ave., Suite 1; Kotzebue, 373 2nd St., Pillautuq Centre; Mat-Su, 600 E Railroad Ave.; Nome 103 Front St.; Petersburg, 11B Gjoa St.; Seward, 302 Railway Suite 107; Sitka, 201 Katlian St., Suite 103; Tok, W 1st St., UAF-Tok Unit 1; Unalaska, 029 Airport Beach Rd. Space No. 03-01; Valdez, State Office Building, Room 13; and Wrangell, 223 Front St.

This meeting will be streamed through the Legislative Information Office over <http://www.akl.tv/> beginning at 9:00 a.m. on March 26, 2020 (audio only). You may submit written questions relevant to the proposed action to Linda Mattson at linda.mattson@alaska.gov or the Department of Education and Early Development, Attn: Linda Mattson, 801 West 10th Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500. If a question is relevant to the proposed change in the regulations and the question is received by January 13, 2019, which is ten days before the end of the public comment period, the department will make a good faith effort to answer the question before the end of the public comment period. The Department of Education and Early Development will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Linda Mattson at 907-465-2802 or linda.mattson@alaska.gov not later than January 13, 2019, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes and the material proposed for adoption by reference is available on the Alaska Online Public Notice System, on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>, and by contacting Linda Mattson at linda.mattson@alaska.gov or 907-465-2802. A copy of the material proposed for adoption by reference may also be viewed at the offices of the Department of Education and Early Development, 801 West 10th Street, Juneau, Alaska 99801.

After the public comment period ends, the Department of Education and Early Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 14.07.020, AS 14.07.060, AS 14.50.080

Statutes being implemented, interpreted, or made specific: AS 14.03.075, AS 14.03.120, AS 14.03.123, AS 14.07.030, AS 14.07.170

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 12/18/19



Karen Melin, Deputy Commissioner

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES REGARDING STATEWIDE STUDENT
ASSESSMENT AND SCHOOL AND DISTRICT ACCOUNTABILITY IN THE REGULATIONS OF
THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: The proposed amendments would update requirements and deadlines in the statewide student assessment and school and district accountability regulations.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES issued on December 18, 2019, concerning these proposed regulation revisions. The public notice of December 18, 2019, stated that oral comments could be submitted at a meeting of the State Board of Education and Early Development of March 26, 2020. The March 26, 2020 State Board meeting was postponed and not rescheduled, because of concerns related to the COVID-19 public health disaster emergency. This SUPPLEMENTAL NOTICE is being issued to provide notice of an opportunity for the public to provide oral comments regarding these regulation revisions at the next meeting of the State Board of Education and Early Development on June 10, 2020.

The Department of Education and Early Development proposes to adopt regulation changes in Title 4 of the Alaska Administrative Code by changing Article 4 Statewide Student Assessment regulations (4 AAC 06.700 – 4 AAC 06.790) and Article 5 School and District Accountability (4 AAC 06.800 – 4 AAC 06.899).

The proposed regulation changes update the names of the required statewide assessments and include language regarding the alternate assessment used for students with the most significant cognitive disabilities. The proposed regulation changes update assessment procedures and the district reporting deadline and clarify when districts need to inform educators and parents about assessment results. The proposed changes also update the *Participation Guidelines for Inclusion of Alaska Students in State Assessments*, 2020 Edition, proposed to be adopted by reference. Conforming changes are proposed in the *Participation Guidelines* to update, clarify, and better organize the standards for the inclusion of students in state assessments.

Proposed changes in the accountability regulations will address state and district deadlines for reporting. The new deadlines reflect the current accountability system calculations and associated data collections used to create school designations and calculations for long term goals and measures of interim progress. The proposed changes include the use of the prior year's graduation rates so that school designations may be released earlier in the school year.

The opportunity for written comment ended on January 22, 2020, but you may submit oral comments to the State Board of Education and Early Development at a hearing to be held by the board on June 10, 2020, starting at 8:45 a.m. by teleconference at the Department of Education and Early Development Board Room, 801 West Tenth Street, Juneau, AK 99801.

You may submit oral comments at this hearing, during this time only, via the Legislative Information Office (LIO) streaming by calling 1-844-586-9085 if you are outside of Juneau or Anchorage. For participation from Juneau, call 586-9085. For participation from Anchorage, call 563-9085. To help mitigate the spread of the COVID-19 virus, the offices and Board Room of the Department of Education and Early Development and the LIOs have been closed to public in-person traffic. In-person testimony may not be provided. For more information about LIOs, call 907-465-4648.

This meeting will be live-streamed through the Legislative Information Office (LIO) over <http://www.akl.tv> (audio only) beginning at 8:45 a.m. Click on the meeting name to listen to the

proceedings. When public comment is over, the meeting will continue to be broadcast at the above website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Linda Mattson at 907-465-2802 or linda.mattson@alaska.gov not later than June 1, 2020, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes and the material proposed for adoption by reference is available on the Alaska Online Public Notice System, on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>, and by contacting Linda Mattson at linda.mattson@alaska.gov or 907-465-2802. A copy of the material proposed for adoption by reference may also be viewed at the offices of the Department of Education and Early Development, 801 West 10th Street, Juneau, Alaska 99801.

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Statutes being implemented, interpreted, or made specific: AS 14.03.075, AS 14.03.120, AS 14.03.123, AS 14.07.030, AS 14.07.170

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 05/15/20



Karen Melin, Deputy Commissioner

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Education & Early Development
2. General subject of regulation: Updates to Statewide Student Assessment and School and District Accountability System
3. Citation of regulation (may be grouped): 4 AAC 06.700 - .790 and 4 AAC 06.800 - .899
4. Department of Law file number, if any: 2019200860
5. Reason for the proposed action:
☐ Compliance with federal law or action
☐ Compliance with new or changed state statute
☐ Compliance with federal or state court decision
☒ Development of program standards
☐ Other
6. Appropriation/Allocation: None
7. Estimated annual costs in the aggregate to comply with the proposed action to:
Private Persons: none.
Other State Agencies: none.
Municipalities: none.
8. Cost of implementation to the state agency and available funding (in thousands of dollars): none.

	Initial Year FY 20	Subsequent Years
Operating Cost	\$ 0	\$ 0
Capital Cost	\$ 0	\$ 0
1002 Federal receipts	\$ 0	\$ 0
1003 General fund match	\$ 0	\$ 0
1004 General fund	\$ 0	\$ 0
1005 General fund/ program	\$ 0	\$ 0
Other	\$ 0	\$ 0

9. The name of the contact person for the regulations:
Name: Deb Riddle
Title: Division Operations Manager
Address: Department of Education & Early Development
801 W. 10th Street, Suite 200, Juneau, AK 99811-0500
Telephone: (907) 465-2892
E-mail address: Deborah.riddle@alaska.gov

10. The origin of the proposed action:
(X) Staff of state agency
Federal government
General public
Petition for regulation change
Other:

11. Date: December 18, 2019 Prepared by: Linda Mattson

Name: Linda Mattson
Title: Regulations Contact
Telephone: (907) 465-2802

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Linda Mattson, Executive Secretary for the Department of Education and Early Development, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed regulation changes to 4 AAC 06.710 – 4 AAC 06.899, updates to Statewide Student Assessment and School and District Accountability, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

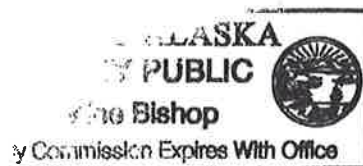
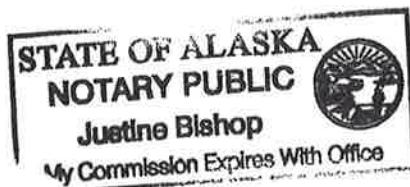
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to those in (2), (4), and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 9/29/2020

Linda J. Mattson
Linda Mattson, Executive Secretary

Subscribed and sworn to before me at Juneau, Alaska on 9/29/20

Justine Bishop
Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

I, Linda Mattson, Executive Secretary for the Department of Education and Early Development, being sworn, state the following:

On June 10, 2020, at 9:00 a.m. via video conference, and by teleconferencing at the Legislative Information Office (LIO), a public hearing presided over by the State Board of Education and Early Development, was held under AS 44.62.210 for the purpose of taking oral testimony in connection with the adoption of changes to 4 AAC 06.710 - 4 AAC 06.899, updates to Statewide Student Assessment and School and District Accountability. To mitigate the spread of the COVID-19 virus, in-person testimony was not permitted.

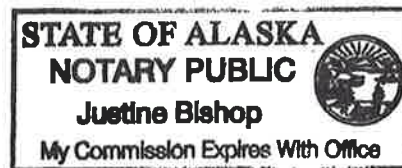
Date: 9/29/2020

Linda Mattson
Linda Mattson, Executive Secretary

Subscribed and sworn to before me at Juneau, Alaska on

9/29/20

Justine Bishop
Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Linda Mattson, Executive Secretary for the Department of Education and Early Development, being sworn, state the following:

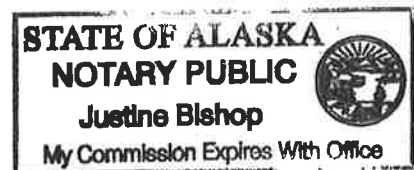
The State Board of Education and Early Development did not receive any factual or other substantive information that was submitted in writing or orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the State Board of Education and Early Development regulation on Statewide Student Assessment and School and District Accountability.

Date: 9/29/2020

Linda P. Mattson
Linda Mattson, Executive Secretary

Subscribed and sworn to before me at Juneau, Alaska on
9/29/20

Justine Bishop
Notary Public in and for the State of Alaska



ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270220 ST OF AK/EDUCATION AND EARLY DEV
OFFICE OF THE COMMISSIONER, JUNEAU, AK 99811

Order #: W0012772

Cost: \$757

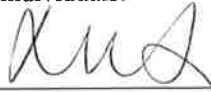
STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the afore-said place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

12/23/2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed



Subscribed and sworn to before me
this 24th day of December 2019.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

7/4/2020

STATE OF ALASKA
NOTARY
PUBLIC
Jada L. Nowling

NOTICE OF PROPOSED CHANGES REGARDING STATEWIDE STUDENT ASSESSMENT AND SCHOOL AND DISTRICT ACCOUNTABILITY IN THE REGULATIONS OF THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: The proposed amendments would update requirements and deadlines in the statewide student assessment and school and district accountability regulations.

The Department of Education and Early Development proposes to adopt regulation changes in Title 4 of the Alaska Administrative Code by changing Article 4. Statewide Student Assessment regulations (4 AAC 06.700 - 4 AAC 06.790) and Article 5. School and District Accountability (4 AAC 06.800 - 4 AAC 06.899).

The proposed regulation changes update the names of the required statewide assessments and include language regarding the alternate assessment used for students with the most significant cognitive disabilities. The proposed regulation changes update assessment procedures and the district reporting deadline and clarify when districts need to inform educators and parents about assessment results. The proposed changes also update the Participation Guidelines for inclusion of Alaska Students in State Assessments, 2020 Edition, that is proposed to be adopted by reference. Conforming changes are proposed in the Participation Guidelines to update, clarify, and better organize the standards for the inclusion of students in state assessments.

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The Department of Education and Early Development invites the public to submit written comments during the written comment period, which begins with the date of this notice and ends on January 22, 2020, at 4:30 p.m. The written comment period closes in advance of the meeting of the State Board of Education and Early Development at which the board will consider the adoption of the proposed regulations. This allows the Department of Education and Early Development an opportunity to prepare changes based on written comment and to distribute any proposed changes to the board for its consideration prior to the meeting.

You may comment in writing on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Commissioner's Office, Department of Education and Early Development, Attn: Regulations Review, 801 West Tenth Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500.

You also may submit written comments by facsimile at (907) 465-4150; by electronic mail to Linda Mattson, and online at the website of the Department of Education and Early Development at <https://education.alaska.gov/regcomment.htm>. Written comments also may be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link.

All written comments must be received not later than 4:30 p.m. on January 22, 2020.

After the written comment period has ended, you may submit oral comments to the State Board of Education and Early Development at a hearing to be held by the board on March 26, 2020, by audio conference or in person at the Department of Education and Early Development board room, 801 West Tenth Street, Juneau, AK 99801. The hearing will be held from 9:00 a.m. to 11:00 a.m. but may be extended to accommodate those present before 9:00 a.m. who have not had an opportunity to comment before 11:00 a.m.

You may submit oral comments at this hearing, during this time only, via the Legislative Information Office streaming by calling 1-866-546-7005. If you are outside of Juneau or Anchorage, for participation from Juneau, call 588-9085. For participation from Anchorage, call 583-9085.

You also may submit oral comment by visiting your local Legislative Information Office. The following LIO's will participate: Anchorage, 216 W 4th Ave., Suite 100; Barrow, 119 Bank Bldg.; Bethel, 401 Willow St.; Cordova, 418 First St.; S. Suite A; Delta Junction, Colombo Building, Suite 204; 1380 Richardson Hwy.; Dillingham, Kangitang Bldg.; Fairbanks, 1292 Sander Way, Suite 308; Gulkana, 146 Glen Hwy.; Homer, 270 West Pioneer Ave.; Juneau, Room 111 Terry Miller Bldg.; Kenai, 145 Main St.; Kodiak, Suite 217; Ketchikan, 1900 First Ave.; S. Suite 310; Kodiak, 305 Center Ave.; S. Suite 1; Kotzebue, 373 2nd St.; Pitmeagut Center; Mat-Su, 600 E Railroad Ave.; Nome, 103 Front St.; Petersburg, 118 Gosh St.; Seward, 302 Highway Suite 107; Sitka, 201 Katian St.; S. Suite 103; Tok, W 1st St.; UAF-Tok Unit 1; Unalaska, 029 Airport Beach Rd. Space No. 03-01; Valdez, State Office Building, Room 13; and Wrangell, 223 Front St.

This meeting will be streamed through the Legislative Information Office over <http://www.akd.tv> beginning at 9:00 a.m. on March 26, 2020 (audio only). You may submit written questions relevant to the proposed changes to Linda Mattson at linda.mattson@alaska.gov or the Department of Education and Early Development, Attn: Linda Mattson, 801 West Tenth Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500. If a question is relevant to the proposed change in the regulations and the question is received by January 13, 2019, which is ten days before the end of the public comment period, the department will make a good faith effort to answer the question before the end of the public comment period. The Department of Education and Early Development will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the website of the Department of Education and Early Development at <https://education.alaska.gov/regcomment.htm>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Linda Mattson at 907-465-2802 or linda.mattson@alaska.gov not later than January 13, 2019, to ensure that any necessary accommodation can be provided.

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Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 12/18/19
By: /s/ Karen Melin,
Deputy Commissioner

Published: December 23, 2019

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270220 ST OF AK/EDUCATION AND EARLY DEV
OFFICE OF THE COMMISSIONER, JUNEAU, AK 99811

Order #: W0015983

Cost: \$532.9

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the afore-said place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

06/07/2020

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Subscribed and sworn to before me
this 12th day of October 2020.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

NOTARY PUBLIC
JADA L. NOWLING
STATE OF ALASKA
MY COMMISSION EXPIRES JULY 14, 2024

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After the public comment period ends, the Department of Education and Early Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 14.07.020, AS 14.07.060, AS 14.50.080

Statutes being implemented, interpreted, or made specific: AS 14.03.075, AS 14.03.120, AS 14.03.123, AS 14.07.030, AS 14.07.170

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 05/15/20

Published: June 7, 2020

AFFIDAVIT OF BOARD ACTION

I, Linda Mattson, Executive Secretary for the Department of Education and Early Development, being sworn, state the following:

The attached motion to adopt the amendments to Article 4 Statewide Student Assessment (4 AAC 06.700 - .790) and Article 5 School and District Accountability (4 AAC 06.800 - .899) was passed by the State Board of Education and Early Development during its June 10-11, 2020, meeting.

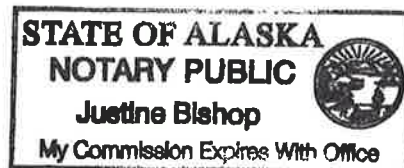
Date: 9/29/2020

Linda J. Mattson
Linda Mattson, Executive Secretary

Subscribed and sworn to before me at Tuneau, Alaska on

9/29/20

Justine Bishop
Notary Public in and for the State of Alaska



State Board of Education and Early Development Meeting

June 10-11, 2020

Excerpt from Unapproved Minutes

Member Van Diest moved and Griffin seconded the following motion: I move the State Board of Education and Early Development adopt the amendments to Article 4 Statewide Student Assessment (4 AAC 06.700 - .790) and Article 5 School and District Accountability (4 AAC 06.800 - .899). The motion passed unanimously in a roll call vote.