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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Janell Andrews, Department of Education and Early Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: October 14, 2022

RE: Filed Permanent Regulations: Department of Education and Early Development

Department of Education and Early Development regulations re: Alternate Assessment Scores (4 AAC 04.737, .775)

Attorney General File:	2022200142
Regulation Filed:	10/14/2022
Effective Date:	11/13/2022
Print:	244, January 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis

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

The attached 3 pages of regulations, dealing with amendments to 4 AAC 06.737, Standards-based test, and 4 AAC 06.775, administering statewide assessments to students with disabilities is certified to be a correct copy of the regulation changes that the State Board of Education and Early Development adopted at its June 8, 2022, meeting, under the authority of AS 14.07.020 and AS 14.07.060, 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.

On the record, in considering public comments, 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: 10/14/2022


Heidi Teshner, Deputy Commissioner, Department
of Education and Early Development

April Simpson for
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FILING CERTIFICATION

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

October 14, 2022 at 3:15 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Lieutenant Governor *Kevin Meyer*

Effective: November 13, 2022.

Register: 244, January 2023.

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
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

4 AAC 06.737 is amended to read:

4 AAC 06.737. Standards-based test. The commissioner will select a standards-based test to estimate the degree to which students have mastered the state's standards for English language arts, mathematics, and science. For school years after school year 2013 - 2014, the standards-based test must test for mastery of the English language arts, mathematics, and science standards adopted by reference in 4 AAC 04.140(a). Except for students eligible for an alternate assessment under 4 AAC 06.775(b), each district shall administer the standards-based test in English language arts and mathematics annually to every student in grades three through eight and in one or more years, as determined by the commissioner, in grades nine through twelve, and each district shall administer the standards-based test in science annually to every student in grades **five** [FOUR], eight, and ten. 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 a student has been enrolled in school. (Eff. 3/3/2000, Register 153; am 9/11/2004, Register 171; am 11/10/2005, Register 176; am 5/18/2006, Register 178; am 10/16/2012, Register 204; am 12/26/2014, Register 212; am 4/6/2016, Register 218; am 2/16/2018, Register 225; am 10/20/2018, Register 228; am 11 / 13 / 2022, Register 244)

Authority: AS 14.03.123 AS 14.070.060 AS 14.50.080

AS 14.07.020

4 AAC 06.775(b)(1) is amended to read:

(1) English language arts, and mathematics on the alternate assessment, a student

must obtain a score as set out in the following table:

Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	[GRADE 10]
English language arts: Advanced	<u>44 or above</u> [71 OR ABOVE]	<u>49 or above</u> [75 OR ABOVE]	<u>45 or above</u> [76 OR ABOVE]	<u>44 or above</u> [65 OR ABOVE]	<u>53 or above</u> [73 OR ABOVE]	<u>55 or above</u> [72 OR ABOVE]	<u>55 or above</u> [68 OR ABOVE]	[72 OR ABOVE]
English language arts: At Target	<u>31-43</u> [50-70]	<u>37-48</u> [57-74]	<u>31-44</u> [53-75]	<u>31-43</u> [46-64]	<u>38-52</u> [52-72]	<u>37-54</u> [48-71]	<u>39-54</u> [48-67]	[47-71]
English language arts: Approaching Target	<u>23-30</u> [36-49]	<u>25-36</u> [38-56]	<u>21-30</u> [35-52]	<u>18-30</u> [27-45]	<u>20-37</u> [27-51]	<u>18-36</u> [23-47]	<u>15-38</u> [20-47]	[17-46]
English language arts: Emerging	<u>22 or below</u> [35 OR BELOW]	<u>24 or below</u> [37 OR BELOW]	<u>20 or below</u> [34 OR BELOW]	<u>17 or below</u> [26 OR BELOW]	<u>19 or below</u> [26 OR BELOW]	<u>17 or below</u> [22 OR BELOW]	<u>14 or below</u> [19 OR BELOW]	[16 OR BELOW]
Math: Advanced	<u>27 or above</u> [37 OR ABOVE]	<u>28 or above</u> [56 OR ABOVE]	<u>26 or above</u> [48 OR ABOVE]	<u>24 or above</u> [38 OR ABOVE]	<u>27 or above</u> [53 OR ABOVE]	<u>31 or above</u> [53 OR ABOVE]	<u>29 or above</u> [33 OR ABOVE]	[36 OR ABOVE]
Math: At Target	<u>15-26</u> [21-36]	<u>15-27</u> [30-55]	<u>17-25</u> [32-47]	<u>18-23</u> [28-37]	<u>18-26</u> [37-52]	<u>24-30</u> [40-52]	<u>18-28</u> [21-32]	[21-35]
Math: Approaching Target	<u>9-14</u> [12-20]	<u>10-14</u> [20-29]	<u>8-16</u> [15-31]	<u>8-17</u> [13-27]	<u>9-17</u> [19-36]	<u>9-23</u> [17-39]	<u>9-17</u> [10-20]	[8-20]
Math: Emerging	<u>8 or below</u> [11 OR BELOW]	<u>9 or below</u> [19 OR BELOW]	<u>7 or below</u> [14 OR BELOW]	<u>7 or below</u> [12 OR BELOW]	<u>8 or below</u> [18 OR BELOW]	<u>8 or below</u> [16 OR BELOW]	<u>8 or below</u> [9 OR BELOW]	[7 OR BELOW]

4 AAC 06.775(b)(2) is amended to read:

(2) science on the alternate assessment, a student must obtain a score as set out in the following table:

Achievement Level	<u>Grade 5</u>	Grade 8	Grade 10
Science: Advanced	<u>25 or above</u> [21 OR ABOVE]	23 or above	23 or above
Science: At Target	<u>17-24</u> [15-20]	16-22	16-22
Science: Approaching Target	<u>10-16</u> [9-14]	10-15	8-15
Science: Emerging	<u>9 or below</u> [8 OR BELOW]	9 or below	7 or below

(Eff. 12/19/2022, 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 10/26/2022, Register 244; am 11 / 13 / 2022, Register 244)

Authority: AS 14.03.075 AS 14.07.020 AS 14.07.165

AS 14.03.123 AS 14.07.060 **AS 14.50.080**