

NOTICE OF PROPOSED CHANGES ON THE ALASKA READS ACT  
IN THE REGULATIONS OF DEPARTMENT OF EDUCATION AND EARLY  
DEVELOPMENT

The Department of Education and Early Development proposes to adopt regulation changes in 4 AAC 05; 4 AAC 06; 4 AAC 12; 4 AAC 60 of the Alaska Administrative Code, dealing with the Alaska Reads Act, also known as Chapter 40 SLA 2022 (House Bill (HB) 114), including the following:

- (1) address three of the four programs added in the Alaska Reads Act, as well as amend teacher certification regulations tied to the Alaska Reads Act, and is proposed to be changed as follows:

**Early Education Grant Program**

- Adding 4 AAC 05.100, Kindergarten day in session, as this was not previously defined in regulation.
- Adding 4 AAC 60.190, Quality Early Education Program Standards, which is adopting by reference a publication titled *Alaska Early Education Program Standards*. The standards outline the following:
  - Programs must provide high-quality education and child development services, including services for children with disabilities;
  - Must implement evidence-based curriculum;
  - Addresses nine sections, plus definitions: 1) learning environment, 2) social and emotional support, 3) curriculum, 4) screening and developmental evaluations, 5) assessment, 6) family engagement, 7) dual language learners, 8) coaching, and 9) continuous quality improvement.
- Adding 4 AAC 60.195, District accountability; revocation of approval of district-wide early education program, which outlines a complaint process for an individual to follow if there are concerns about a district's compliance with the high-quality education program standards.
- Adding 4 AAC 60.200, Early education program grants; applications; duration; award determinations. DEED will identify which schools are eligible to apply and those wishing to apply must apply no later than May 15 of the application year. The regulations outline what needs to be submitted with the application and criteria DEED will consider when awarding the grants.
- Adding 4 AAC 60.205, District-wide early education program grant recipient obligations, outlines what a district must do if awarded a grant. For instance, demonstrate progress towards meeting or exceeding the standards and comply with DEED fiscal and program requirements.
- Adding 4 AAC 60.210, Criteria for inclusion of district-wide early education program students within a district's ADM, which outlines that an application needs to be submitted by May 15 of the year proceeding the year the count will be included in, and district will know before the start of the 20-day count period in October if they can include those students or not.
- Added 4 AAC 60.990, Definitions, which adds definitions for culturally responsive; district-wide early education program; and parent or guardian, and amends the definition for pre-elementary school and Head start agency.

**Department Reading Program**

- Adding 4 AAC 06.300, Purpose, which states that this program provides direct reading intervention support to participating schools and that DEED will provide a reading specialist to

eligible schools and funding to implement reading improvement goals identified in their K-3 intensive school reading improvement plan, including intervention materials.

- Adding 4 AAC 06.305, Eligibility, which outlines that a district is eligible to apply if they are designated in the lowest 25% of schools (based on the state accountability system). DEED will notify districts that are eligible to apply in the fall of each year.
- Adding 4 AAC 06.310, Application and selection. Applications are due by February 15 of each year. Notification of acceptance will be given by April 1 of each year.
- Adding 4 AAC 06.315, Program Requirements. Participating schools must:
  - Submit a K-3 intensive school reading improvement plan by May 1 of each year;
  - Work with state reading specialists to structure the school day to accommodate effective core instruction and intensive reading interventions; and
  - Present an update on the reading program and intervention services at a public meeting.
- Adding 4 AAC 06.320, Reading Specialists, which outlines the requirements and duties of DEED's Reading Specialists.
- Adding 4 AAC 06.325, K-3 intensive school reading improvement plan. DEED will provide a template for the plan, which is due no later than May 1 of each year.
- Adding 4 AAC 06.330, Reporting and communication, which states that selected schools will present to the public as required under AS 14.30.770, and will also provide updates to DEED as requested.
- Adding 4 AAC 06.390, Definitions, which adds a definition for a reading specialist.

#### **District Reading Improvement Program**

- Adding 4 AAC 06.400, Statewide literacy screening and support.
  - DEED will provide a statewide screening tool (which is Amplify with mClass) and associated resources in order to assess student reading skills. This includes training on evidence-based instruction based on student needs; training on the statewide screening tool; and assistance in developing an alternative standardized reading screening tool if requested by a district.
  - All schools must assess all students in K-3<sup>rd</sup> grade each fall using the statewide screening tool.
  - Districts must report the scores no later than July 15 of each year.
  - Districts can seek a waiver from using the department provided statewide screening tool if they have an evidence-based screening tool consistent with statute. The waiver becomes void if a district selects a different screening tool. Waiver applications are due by April 15 to be considered for the following school year.
- Adding 4 AAC 06.405, Reading intervention services and strategies.
  - A district must offer intensive reading intervention services to students in K-3<sup>rd</sup> grade who exhibit a reading deficiency.
  - Districts must submit a reading plan to DEED by September 1 of each year based on a response to intervention or multi-tiered system of support model – this is known as the K-3 MTSS reading plan.
  - Districts may resubmit an approved plan the following year.
  - A reading plan template will be provided, but the plan must include: the literacy screening tool used; description of the adopted core reading program; description of the district's program monitoring tool and the proposed schedule; a letter template of the parent notification of student reading deficiency; an individual reading improvement plan template; description of home supports; and description of reading-related professional development for K-3<sup>rd</sup> grade staff.
- Adding 4 AAC 06.410, Individual reading improvement plan, which outlines that a district must provide a culturally responsive plan for each K-3<sup>rd</sup> grade student determined to have a reading

deficiency.

- Adding 4 AAC 06.415, Student Progression, which states that districts must follow what is in AS 14.30.765 and a student can demonstrate mastery by submitting a complete reading portfolio which is described in the regulations; a department waiver of non-progression form can be signed by a parent or guardian and submitted to DEED; and students may only have their progression delayed one time between K and 3<sup>rd</sup> grade.
- Adding 4 AAC 06.490, Definitions. Defining culturally responsive; measurable evidence of proficiency; multi-tiered system of support; parent or guardian; and dyslexia (which was added as a requirement under AS 14.30.775).

### **Teacher Certification**

- Statute outlines what is required for a regular certified K-3<sup>rd</sup> grade teacher to meet the Alaska Reads Act requirements – i.e. complete coursework, training, or testing requirements; demonstrate proficiency, etc. (AS 14.20.015(c) and AS 14.20.020(i)). The proposed regulations amend existing and add new regulations to address the new requirements.
- Amending 4 AAC 12.300, Certification of teachers, (g) by setting a \$50 fee for a current teacher certificate to apply for a reading endorsement (this fee is applicable from July 1, 2023 through December 30, 2028).
- Amending 4 AAC 12.305, Teacher certificate (initial, professional, master), to add “beginning July 1, 2023, if an applicant seeks to qualify for certification under AS 14.20.015(c) and AS 14.20.020(i), they have to meet the requirements a new regulation (4 AAC 12.393, Endorsement requirements for K-3<sup>rd</sup> grade teachers and district reading teachers).
- Amending 4 AAC 12.310, Designation and qualifying scores of teacher competency examination, (a)(3)(B) and (C); this is a technical clean-up by Department of Law to remove two colons.
- Amending 4 AAC 12.310(e), by adding a definition of “qualifying score”.
- Amending 4 AAC 12.310(f), changing “state” to “jurisdiction”.
- Amending 4 AAC 12.310 by adding (g) which states that DEED will reevaluate a qualifying score at least once every five years, and adding (h) which states that DEED will review a competency examination identified at least once every three years.
- Amends 4 AAC 12.345, Administrative certificate (Type B); provisional certificate (provisional Type B), by adding (j) which states that a school administrator who supervises K-3<sup>rd</sup> grade teachers, also needs to obtain a K-3 educator endorsement.
- Adding 4 AAC 12.392, Early education lead teacher endorsement requirements – beginning July 1, 2023 and for a teacher in charge of an early education program for children who are 4 and 5 years of age. The endorsement requires the applicant to hold a valid teacher certificate and submit documentation that the applicant has or will complete within two years, the required six credit hours in early childhood education or two or more years of experience teaching K or an early education program and completed an evidence-based training course approved by DEED that includes a summative assessment.
- Adding 4 AAC 12.393, Endorsement requirements for K-3 teachers and district reading teachers-
  - required for anyone who is employed to teach K through 3<sup>rd</sup> grade;
  - must hold a valid certificate; submit documentation that they have completed three semester hours or the equivalent of evidence-based reading training approved by DEED; or achieved or exceeded the required score on the content area examinations.
  - A person employed as a reading teacher has two years from date of hire to obtain the endorsement.
- Amending 4 AAC 12.407, Content area examination, to add the required scores for teaching reading.
- Adding 4 AAC 12.409, Department review of competency and content area examinations;

reevaluation of minimum passing scores; report.

- Starting July 1, 2023, DEED will conduct an annual review of at least 1/3 of the teacher competency examinations and 1/3 of the content area examinations. Exams selected will be staggered so all examinations get reviewed once every three years.
  - Beginning July 1, 2023, DEED will conduct an annual reevaluation of at least 1/5 of the minimum passing scores for the teacher competency examinations and the content area examinations. Selection will be staggered so all will be reevaluated at least once every five years.
  - This review and reevaluation can be combined.
  - The results of the review and reevaluation will be presented to the State Board annually during their December quarterly meeting.
  - Any recommended changes would not take effect until adopted through a regulation change.
- Amended 4 AAC 12.900, Definitions, by adding a definition of “reading teacher”.
- (2) 4 AAC 12.900(b) is proposed to be repealed which stated: “(b) In AS 14.20, “standard certificate” means a professional teacher certificate under 4 AAC 12.305(b)”; 4 AAC 60.037 Transitions, is proposed to be repealed, as this section is no longer relevant; and 4 AAC 60.180, Definitions, is proposed to be repealed but re-established under 4 AAC 60.990, Definitions.

You may comment 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, 333 Willoughby Ave., 9<sup>th</sup> Floor, SOB, P.O. Box 110500, Juneau, Alaska 99811-0500. Additionally, the Department of Education and Early Development will accept comments by facsimile at 907-465-2806 and by electronic mail at [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 p.m. on March 3, 2023.

Oral or written comments may also be submitted at a hearing to be held on April 19, 2023 via Zoom platform. You may join the online Zoom meeting at <http://us02web.zoom.us/j/99391482721> or by calling 1-253-215-8782 and selecting \*9 on your phone’s keypad. When public comment is over, the meeting will continue to broadcast at the above link.

The hearing is scheduled from 3:00 p.m. to 4:30 p.m. and priority will be given to commenters on the line before the beginning of the hearing. The hearing may be extended to accommodate those on the line before 3:00 p.m. who did not have an opportunity to comment. Before the start of the hearing, the State Board of Education and Early Development Chair, James Fields, may limit the time allotted for each person providing oral testimony, as reasonably necessary to conclude the hearing in the time provided.

You may submit written questions relevant to the proposed action to Janell Andrews at [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov) or the Department of Education and Early Development, Attn: Regulations Review, P.O. Box 110500, Juneau, Alaska 99811-0500. The questions must be received at least 10 days 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 <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 Janell Andrews at 907-465-2800 or [deed.commissioner@alaska.gov](mailto:deed.commissioner@alaska.gov) not later than April 9, 2023 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Janell Andrews at [Janell.Andrews@alaska.gov](mailto:Janell.Andrews@alaska.gov) 907-465-2802.

A copy of material proposed for adoption by reference is available on the Alaska Online Public Notice System [Regulations - Education and Early Development \(alaska.gov\)](#). A copy of material proposed for adoption by reference may be viewed at the agency's office at 333 Willoughby Ave. 9<sup>th</sup> Floor, SOB, Juneau, Alaska 99811-0500.

After the public comment period ends, the State Board 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 14.07.030; AS 14.07.060; AS 14.07.165; AS 14.17.920; AS 14.20.080

**Statutes being implemented, interpreted, or made specific:** AS 14.03.040; AS 14.03.060; AS 14.03.072; AS 14.03.078; AS 14.03.080; AS 14.03.120; AS 14.03.123; AS 14.03.410; AS 14.03.420; AS 14.03.020; AS 14.07.050; AS 14.07.168; AS 14.07.180; AS 14.14.115; AS 14.17.470; AS 14.17.500; AS 14.17.905; AS 14.20.010; AS 14.20.015; AS 14.20.020; AS 14.20.022; AS 14.20.030; AS 14.30.760; AS 14.30.765; AS 14.30.770; AS 14.30.775; AS 14.30.780; AS 14.60.010; AS 47.17.290

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

Individuals can sign-up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 2/1/2023

  
\_\_\_\_\_  
Lacey Sanders, Deputy Commissioner