



LAWS OF ALASKA

2014

Source
FCCS HB 278

Chapter No.

AN ACT

Relating to the exemption from jury service for certain teachers; relating to the powers of the Department of Education and Early Development; relating to school performance reports; relating to accountability standards; providing funding for Internet services; relating to secondary school course credit earned through assessment; relating to public school college and career readiness assessments and diplomas; relating to the secondary school competency examination and related requirements; relating to charter schools and student transportation; relating to residential school applications; relating to school construction bond debt reimbursement; increasing the stipend for boarding school students; relating to the local contribution to public school funding; increasing the base student allocation used in the formula for state funding of public education; relating to correspondence programs, funding, and student allotments; relating to funding of and reporting by Alaska technical and vocational education programs; relating to earning high school credit for completion of vocational education courses offered by institutions receiving technical and vocational education program funding; relating to schools operated by a federal agency; relating to education tax credits; establishing an optional municipal tax exemption for privately owned real property rented or leased for use as a charter school; establishing a pilot project for public middle school students; requiring the Department of Administration to provide a proposal for a salary and benefits schedule for school districts and for teacher tenure; requiring the Legislative Budget and Audit Committee to provide for studies on public education funding; requiring the Department of Education and Early Development to report to the legislature on school design and construction; relating to grants to school districts; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

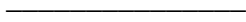
Enrolled HB 278

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2 Department of Education and Early Development; relating to school performance reports;
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1 vocational education programs; relating to earning high school credit for completion of
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4 education tax credits; establishing an optional municipal tax exemption for privately owned
5 real property rented or leased for use as a charter school; establishing a pilot project for public
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7 a salary and benefits schedule for school districts and for teacher tenure; requiring the
8 Legislative Budget and Audit Committee to provide for studies on public education funding;
9 requiring the Department of Education and Early Development to report to the legislature on
10 school design and construction; relating to grants to school districts; and providing for an
11 effective date.

12



13 * **Section 1.** AS 09.20.030(b) is amended to read:

14 (b) A person may claim exemption and shall be excused by the court from
15 service as a juror during the school term if it is shown that the person is a teacher in a
16 school that is designated as **a low performing school under regulations adopted by**
17 **the state Board of Education and Early Development** [FAILING TO MAKE
18 ADEQUATE YEARLY PROGRESS UNDER P.L. 107-110]. In this subsection,
19 "teacher" means a person who serves a school district in a teaching capacity in a
20 classroom setting and is required to be certificated in order to hold the position.

21 * **Sec. 2.** AS 14.03 is amended by adding a new section to read:

22 **Sec. 14.03.073. Secondary school course credit.** (a) A school district shall
23 provide the opportunity for students enrolled in a secondary school in the district to
24 challenge a course provided by the district by demonstrating mastery in mathematics,
25 language arts, science, social studies, and world languages at the level of the course
26 challenged. A school district shall give full credit for a course to a student who
27 successfully challenges that course as provided under this section.

1 (b) A school district shall establish, within a reasonable time, an assessment
2 tool and a standard for demonstrating mastery in secondary school courses provided
3 by the district under this section.

4 (c) The board shall adopt regulations to implement this section.

5 (d) In this section, "school district" has the meaning given in AS 14.30.350.

6 * **Sec. 3.** AS 14.03.075 is repealed and reenacted to read:

7 **Sec. 14.03.075. College and career readiness assessment.** (a) A school may
8 not issue a secondary school diploma to a student unless the student takes a college
9 and career readiness assessment or receives a waiver from the governing body.

10 (b) A school shall award a certificate of achievement to a student who fails to
11 qualify for a diploma under (a) of this section by the end of the student's final semester
12 of attendance but who has met all other graduation requirements of the governing
13 body and the state.

14 (c) The department shall provide funding for the fee for a single
15 administration of a college and career readiness assessment for each secondary student
16 within two years of the student's expected graduation.

17 (d) In this section, "college and career readiness assessment" means the SAT,
18 ACT, or WorkKeys assessment.

19 * **Sec. 4.** AS 14.03.078 is amended to read:

20 **Sec. 14.03.078. Report.** The department shall provide to the legislature by
21 February 15 of each year **by electronic means** an annual report regarding the progress
22 of each school and school district toward high academic performance by all students.
23 The report required under this section must include

24 (1) information described under AS 14.03.120(d);

25 (2) [THE NUMBER AND PERCENTAGE OF STUDENTS IN
26 EACH SCHOOL WHO PASS THE EXAMINATION REQUIRED UNDER
27 AS 14.03.075, AND THE NUMBER WHO PASS EACH SECTION OF THE
28 EXAMINATION;

29 (3)] progress of the department

30 (A) toward implementing the school accountability provisions
31 of AS 14.03.123; and

1 (B) in assisting high schools to become accredited;

2 **(3)** [(4)] a description of the resources provided to each school and
3 school district for coordinated school improvement activities and staff training in each
4 school and school district;

5 **(4)** [(5)] each school district's and each school's progress in aligning
6 curriculum with state education performance standards;

7 **(5)** [(6)] a description of the efforts by the department to assist a public
8 school **or district** that receives a **low performance** designation **under AS 14.03.123**
9 **[OF DEFICIENT OR IN CRISIS]**;

10 **(6)** [(7)] a description of intervention efforts by each school district
11 and school for students who are not meeting state performance standards; **and**

12 **(7)** [(8)] the number and percentage of turnover in certificated
13 personnel and superintendents [;

14 (9) THE NUMBER OF TEACHERS BY DISTRICT AND BY
15 SCHOOL WHO ARE TEACHING OUTSIDE THE TEACHER'S AREA OF
16 ENDORSEMENT BUT IN AREAS TESTED BY THE HIGH SCHOOL
17 COMPETENCY EXAMINATION].

18 * **Sec. 5.** AS 14.03.083 is amended by adding a new subsection to read:

19 (d) The department and the state Board of Education and Early Development
20 may not enter into or renew a contract or agreement, or participate, with any
21 organization, entity, group, or consortium after the effective date of this subsection
22 that requires the state to cede any measure of autonomy or control over education
23 standards and assessments, including the determination of passing scores.

24 * **Sec. 6.** AS 14.03.120(d) is amended to read:

25 (d) Annually, before the date set by the district under (e) of this section, each
26 public school shall deliver to the department for posting on the department's Internet
27 website and provide, in a public meeting of parents, students, and community
28 members, a report on the school's performance and the performance of the school's
29 students. The report shall be prepared on a form prescribed by the department and
30 must include

31 (1) information on accreditation;

- 1 (2) results of norm-referenced achievement tests;
- 2 (3) results of state standards-based assessments in language arts
3 [READING, WRITING,] and mathematics;
- 4 (4) a description, including quantitative and qualitative measures, of
5 student, parent, community, and business involvement in student learning;
- 6 (5) a description of the school's attendance, retention, dropout, and
7 graduation rates [, INCLUDING THE NUMBER AND PERCENTAGE OF
8 STUDENTS WHO RECEIVED A DIPLOMA UNDER A WAIVER FROM THE
9 COMPETENCY EXAMINATION REQUIRED UNDER AS 14.03.075(a),] as
10 specified by the state board;
- 11 (6) the annual percent of enrollment change, regardless of reason, and
12 the annual percent of enrollment change due to student transfers into and out of the
13 school district;
- 14 (7) if Native language education is provided, a summary and
15 evaluation of the curriculum described in AS 14.30.420;
- 16 (8) [THE NUMBER AND PERCENTAGE OF STUDENTS IN
17 EACH SCHOOL WHO TAKE AND WHO SUCCESSFULLY COMPLETE AN
18 ALTERNATIVE ASSESSMENT PROGRAM IN READING, ENGLISH, OR
19 MATHEMATICS; AND THE NUMBER AND PERCENTAGE OF PUPILS IN
20 EACH SCHOOL WHO SUCCESSFULLY COMPLETE THE ALTERNATIVE
21 ASSESSMENT PROGRAM BUT WHO DO NOT REACH THE STATE
22 PERFORMANCE STANDARDS AT THE COMPETENCY EXAM LEVEL IN
23 READING, ENGLISH, OR MATHEMATICS; A SCHOOL MAY NOT REPORT
24 RESULTS UNDER THIS PARAGRAPH UNLESS THE SCHOOL COMPLIES
25 WITH THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY
26 REQUIREMENTS OF 34 C.F.R. 99;
- 27 (9) the performance designation assigned the school under
28 AS 14.03.123 and the methodology used to assign the performance designation,
29 including the measures used and their relative weights;
- 30 (9) [AND (10)] other information concerning school performance and
31 the performance of the school's students as required by the state board in regulation;

1 and

2 (10) information on the number, attendance, and performance of
3 students enrolled in the school whose parents or guardians are on active duty in
4 the armed forces of the United States, the United States Coast Guard, the Alaska
5 National Guard, the Alaska Naval Militia, or the Alaska State Defense Force.

6 * **Sec. 7.** AS 14.03.123(f) is amended to read:

7 (f) In the accountability system for schools and districts required by this
8 section, the department shall

9 (1) implement 20 U.S.C. 6301 - 7941 (Elementary and Secondary
10 Education Act of 1965), as amended;

11 (2) implement state criteria and priorities for accountability including
12 the use of

13 (A) measures of student performance on standards-based
14 assessments in language arts [READING, WRITING,] and mathematics [,
15 AND INCLUDING COMPETENCY TESTS REQUIRED UNDER
16 AS 14.03.075];

17 (B) measures of student improvement; and

18 (C) other measures identified that are indicators of student
19 success and achievement; and

20 (3) to the extent practicable, minimize the administrative burden on
21 districts.

22 * **Sec. 8.** AS 14.03 is amended by adding a new section to read:

23 **Sec. 14.03.127. Funding for Internet services.** (a) Each fiscal year, a district
24 in which one or more schools qualify for a discounted rate for Internet services under
25 the federal universal services program is eligible to receive an amount for each school
26 that is equal to the amount needed to bring the applicant's share to 10 megabits of
27 download a second of the Internet services.

28 (b) If insufficient funding is appropriated to provide funding authorized under
29 this section, the state share shall be distributed pro rata to eligible school districts.

30 (c) In this section,

31 (1) "applicant's share" means the difference between the cost of

1 Internet services that are eligible for the discount under the federal universal services
2 program and the discount received for those services under the federal universal
3 services program;

4 (2) "federal universal services program" means the program established
5 in 47 U.S.C. 254 and regulations implementing that section.

6 * **Sec. 9.** AS 14.03.250 is repealed and reenacted to read:

7 **Sec. 14.03.250. Application for charter school.** (a) A local school board shall
8 prescribe an application procedure for the establishment of a charter school in that
9 school district. The application procedure must include provisions for an academic
10 policy committee consisting of parents of students attending the school, teachers, and
11 school employees and a proposed form for a contract between a charter school and the
12 local school board, setting out the contract elements required under AS 14.03.255(c).

13 (b) A decision of a local school board approving or denying an application for
14 a charter school must be in writing, must be issued within 60 days after the
15 application, and must include all relevant findings of fact and conclusions of law.

16 (c) If a local school board approves an application for a charter school, the
17 local school board shall forward the application to the state Board of Education and
18 Early Development for review and approval.

19 (d) If a local school board denies an application for a charter school, the
20 applicant may appeal the denial to the commissioner. The appeal to the commissioner
21 shall be filed not later than 60 days after the local school board issues its written
22 decision of denial. The commissioner shall review the local school board's decision to
23 determine whether the findings of fact are supported by substantial evidence and
24 whether the decision is contrary to law. A decision of the commissioner upholding the
25 denial by the local school board may be appealed within 30 days to the state Board of
26 Education and Early Development.

27 (e) If the commissioner approves a charter school application, the
28 commissioner shall forward the application to the state Board of Education and Early
29 Development for review and approval. The application shall be forwarded not later
30 than 30 days after the commissioner issues a written decision. The state Board of
31 Education and Early Development shall exercise independent judgment in evaluating

1 the application.

2 (f) A local school board that denied an application for a charter school
3 approved by the state board on appeal shall operate the charter school as provided in
4 AS 14.03.255 - 14.03.290.

5 * **Sec. 10.** AS 14.03 is amended by adding a new section to read:

6 **Sec. 14.03.253. Charter school application appeal.** (a) In an appeal to the
7 commissioner under AS 14.03.250, the commissioner shall review the record before
8 the local school board. The commissioner may request written supplementation of the
9 record from the applicant or the local school board. The commissioner may

10 (1) remand the appeal to the local school board for further review;

11 (2) approve the charter school application and forward the application
12 to the state Board of Education and Early Development with or without added
13 conditions; or

14 (3) uphold the decision denying the charter school application; if the
15 commissioner upholds a local school board's decision to deny a charter school
16 application and the applicant appeals to the State Board of Education and Early
17 Development, the commissioner shall immediately forward the application and record
18 to the state Board of Education and Early Development.

19 (b) In an appeal to the state Board of Education and Early Development of a
20 denial of a charter school application under (a)(3) of this section, the state board shall
21 determine, based on the record, whether the commissioner's findings are supported by
22 substantial evidence and whether the decision is contrary to law. The state board shall
23 issue a written decision within 90 days after an appeal.

24 * **Sec. 11.** AS 14.03.255(a) is amended to read:

25 (a) A charter school operates as a school in the local school district except that
26 the charter school (1) is exempt from the local school district's textbook, program,
27 curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the
28 principal of the charter school shall be selected by the academic policy committee and
29 shall select, appoint, or otherwise supervise employees of the charter school; and (3)
30 operates under the charter school's annual program budget as set out in the contract
31 between the local school board and the charter school under (c) of this section. A local

1 school board may exempt a charter school from other local school district
2 requirements if the exemption is set out in the contract. A charter school is subject to
3 [SECONDARY SCHOOL COMPETENCY TESTING AS PROVIDED IN
4 AS 14.03.075 AND OTHER COMPETENCY] tests required by the department.

5 * **Sec. 12.** AS 14.03.255(d) is amended to read:

6 (d) A **school district shall offer to a charter school the right of first refusal**
7 **for a lease of space** [CHARTER SCHOOL MAY BE OPERATED] in an existing
8 school district facility or in a facility within the school district that is not currently
9 being used as a public school, if the chief school administrator determines the facility
10 meets requirements for health and safety applicable to public buildings or other public
11 schools in the district. **If the school district requires lease payments by a charter**
12 **school, the school district shall negotiate a lease agreement with the charter**
13 **school for an amount that does not exceed the true operational costs calculated**
14 **on a square foot basis for space leased under this subsection.**

15 * **Sec. 13.** AS 14.03.260(a) is amended to read:

16 (a) A local school board shall provide an approved charter school with an
17 annual program budget. The budget shall be not less than the amount generated by the
18 students enrolled in the charter school less administrative costs retained by the local
19 school district, determined by applying the indirect cost rate approved by the
20 **department up to four percent. Costs directly related to charter school facilities,**
21 **including rent, utilities, and maintenance, may not be included in an annual**
22 **program budget for the purposes of calculating the four percent cap on**
23 **administrative costs under this subsection. A local school board shall provide a**
24 **charter school with a report itemizing the administrative costs retained by the**
25 **local school board under this section** [DEPARTMENT OF EDUCATION AND
26 EARLY DEVELOPMENT]. The "amount generated by students enrolled in the
27 charter school" is to be determined in the same manner as it would be for a student
28 enrolled in another public school in that school district **and includes funds generated**
29 **by grants, appropriations, federal impact aid, the required local contribution, the**
30 **local contribution under AS 14.17.410(c), special needs under AS 14.17.420(a)(1),**
31 **and secondary school vocational and technical instruction under**

1 AS 14.17.420(a)(3). A school district shall direct state aid under AS 14.11 for the
2 construction or major maintenance of a charter school facility to the charter
3 school that generated the state aid, subject to the same terms and conditions that
4 apply to state aid under AS 14.11 for construction or major maintenance of a
5 school facility that is not a charter school.

6 * **Sec. 14.** AS 14.03 is amended by adding a new section to read:

7 **Sec. 14.03.264. Charter school grant program.** (a) A charter school that is
8 established on or after the effective date of this section may receive a one-time grant
9 from the department equal to the amount of \$500 for each student enrolled in the
10 school on October 1 of the first year in which the school applies for the grant. The
11 charter school shall use a grant received under this section to provide educational
12 services. In this subsection, "educational services" includes curriculum development,
13 program development, and special education services.

14 (b) The department shall establish by regulation procedures for the application
15 for and expenditure of grant funds under (a) of this section.

16 (c) If the amount appropriated in a fiscal year for the charter school grant
17 program is insufficient to meet the amounts authorized under (a) of this section, the
18 department shall reduce pro rata the per pupil grant amount by the necessary
19 percentage as determined by the department. If a charter school grant is reduced under
20 this subsection, the charter school may apply to the department in a subsequent fiscal
21 year for the balance of the grant amount.

22 * **Sec. 15.** AS 14.03 is amended by adding new sections to read:

23 **Article 3. Correspondence Study Programs.**

24 **Sec. 14.03.300. Correspondence study programs; individual learning**
25 **plans.** (a) A district or the department that provides a correspondence study program
26 shall annually provide an individual learning plan for each student enrolled in the
27 program developed in collaboration with the student, the parent or guardian of the
28 student, a certificated teacher assigned to the student, and other individuals involved in
29 the student's learning plan. An individual learning plan must

30 (1) be developed with the assistance and approval of the certificated
31 teacher assigned to the student by the district;

1 (2) provide for a course of study for the appropriate grade level
2 consistent with state and district standards;

3 (3) provide for an ongoing assessment plan that includes statewide
4 assessments required for public schools under AS 14.03.123(f);

5 (4) include a provision for modification of the individual learning plan
6 if the student is below proficient on a standardized assessment in a core subject;

7 (5) provide for a signed agreement between the certificated teacher
8 assigned to the student and at least one parent or the guardian of each student that
9 verifies compliance with an individual learning plan;

10 (6) provide for monitoring of each student's work and progress by the
11 certificated teacher assigned to the student.

12 (b) Notwithstanding another provision of law, the department may not impose
13 additional requirements, other than the requirements specified under (a) of this section
14 and under AS 14.03.320, on a student who is proficient or advanced on statewide
15 assessments required under AS 14.03.123(f).

16 **Sec. 14.03.320. Student allotments.** (a) Except as provided in (e) of this
17 section, the department or a district that provides a correspondence study program may
18 provide an annual student allotment to a parent or guardian of a student enrolled in the
19 correspondence study program for the purpose of meeting instructional expenses for
20 the student enrolled in the program as provided in this section.

21 (b) A parent or guardian may purchase nonsectarian services and materials
22 from a public, private, or religious organization with a student allotment provided
23 under (a) of this section if

24 (1) the services and materials are required for the course of study in the
25 individual learning plan developed for the student under AS 14.03.300;

26 (2) textbooks, services, and other curriculum materials and the course
27 of study

28 (A) are approved by the school district;

29 (B) are appropriate for the student;

30 (C) are aligned to state standards; and

31 (D) comply with AS 14.03.090 and AS 14.18.060; and

1 (3) the services and materials otherwise support a public purpose.

2 (c) Except as provided in (d) of this section, an annual student allotment
3 provided under this section is reserved and excluded from the unreserved portion of a
4 district's year-end fund balance in the school operating fund under AS 14.17.505.

5 (d) The department or a district that provides for an annual student allotment
6 under (a) of this section shall

7 (1) account for the balance of an unexpended annual student allotment
8 during the period in which a student continues to be enrolled in the correspondence
9 program for which the annual allotment was provided;

10 (2) return the unexpended balance of a student allotment to the budget
11 of the department or district for a student who is no longer enrolled in the
12 correspondence program for which the allotment was provided;

13 (3) maintain a record of expenditures and allotments; and

14 (4) implement a routine monitoring of audits and expenditures.

15 (e) A student allotment provided under (a) of this section may not be used to
16 pay for services provided to a student by a family member. In this subsection, "family
17 member" means the student's spouse, guardian, parent, stepparent, sibling, stepsibling,
18 grandparent, stepgrandparent, child, uncle, or aunt.

19 * **Sec. 16.** AS 14.07.020(a)(16) is amended to read:

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

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

25 (B) an end date for departmental intervention, as described in
26 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
27 consecutive years of improvement consisting of not less than two percent
28 increases in student proficiency on standards-based assessments in **language**
29 **arts and** mathematics, [READING, AND WRITING] as provided in
30 AS 14.03.123(f)(2)(A); and

31 (C) a process for districts to petition the department for

1 continuing or discontinuing the department's intervention;

2 * **Sec. 17.** AS 14.07.020(b) is amended to read:

3 (b) In implementing its duties under (a)(2) of this section, the department **may**
4 **not expend any money to implement the set of educational curriculum standards**
5 **for grades kindergarten through 12 established by the Common Core Standards**
6 **Initiative and** shall develop

7 (1) performance standards in **language arts** [READING, WRITING,]
8 and mathematics to be met at designated age levels by each student in public schools
9 in the state; and

10 (2) a comprehensive system of student assessments, composed of
11 multiple indicators of proficiency in **language arts** [READING, WRITING,] and
12 mathematics; this comprehensive system must

13 (A) be made available to all districts and regional educational
14 attendance areas;

15 (B) include a developmental profile for students entering
16 kindergarten or first grade; and

17 (C) include performance standards in **language arts**
18 [READING, WRITING,] and mathematics for students in age groups five
19 through seven, eight through 10, and 11 - 14.

20 * **Sec. 18.** AS 14.07.165 is amended to read:

21 **Sec. 14.07.165. Duties.** The board shall adopt

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

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

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

27 (4) regulations requiring approval by the board before a charter school,
28 state boarding school, or a public school may provide domiciliary services;

29 (5) regulations implementing the **college and career readiness**
30 **assessment** [SECONDARY SCHOOL STUDENT COMPETENCY
31 EXAMINATION] provisions of AS 14.03.075, **providing for the needs of a student**

1 who is a child with a disability, and setting standards for a waiver under
2 AS 14.03.075; the regulations may address the conditions, criteria, procedure,
3 and scheduling of the assessment [, INCLUDING THE CRITERIA AND
4 PROCEDURE UNDER WHICH A GOVERNING BODY USES A WAIVER TO
5 GRANT A DIPLOMA TO A STUDENT; CRITERIA REGARDING GRANTING A
6 WAIVER MUST INCLUDE PROVISIONS THAT A WAIVER MAY ONLY BE
7 GRANTED FOR STUDENTS WHO ENTER THE SYSTEM LATE OR HAVE
8 RARE OR UNUSUAL CIRCUMSTANCES MERITING A WAIVER].

9 * **Sec. 19.** AS 14.07.165 is amended by adding a new subsection to read:

10 (b) In this section, "child with a disability" has the meaning given in
11 AS 14.30.350.

12 * **Sec. 20.** AS 14.09.010 is amended by adding new subsections to read:

13 (e) A school district that provides transportation services under this section
14 shall provide transportation services to students attending a charter school operated by
15 the district under a policy adopted by the district. The policy must

16 (1) be developed with input solicited from individuals involved with
17 the charter school, including staff, students, and parents;

18 (2) at a minimum, provide transportation services for students enrolled
19 in the charter school on a space available basis along the regular routes that the
20 students attending schools in an attendance area in the district are transported; and

21 (3) be approved by the department.

22 (f) If a school district fails to adopt a policy under (e) of this section, the
23 school district shall allocate the amount received for each student under (a) of this
24 section to each charter school operated by the district based on the number of students
25 enrolled in the charter school.

26 (g) Nothing in (e) of this section requires a school district to establish
27 dedicated transportation routes for the exclusive use of students enrolled in a charter
28 school or authorizes a charter school to opt out of a policy adopted by a school district
29 for the purpose of acquiring transportation funding.

30 * **Sec. 21.** AS 14.11.100(a) is amended to read:

31 (a) During each fiscal year, the state shall allocate to a municipality that is a

1 school district the following sums:

2 (1) payments made by the municipality during the fiscal year two years
3 earlier for the retirement of principal and interest on outstanding bonds, notes, or other
4 indebtedness incurred before July 1, 1977, to pay costs of school construction;

5 (2) 90 percent of

6 (A) payments made by the municipality during the fiscal year
7 two years earlier for the retirement of principal and interest on outstanding
8 bonds, notes, or other indebtedness incurred after June 30, 1977, and before
9 July 1, 1978, to pay costs of school construction;

10 (B) cash payments made after June 30, 1976, and before July 1,
11 1978, by the municipality during the fiscal year two years earlier to pay costs
12 of school construction;

13 (3) 90 percent of

14 (A) payments made by the municipality during the fiscal year
15 two years earlier for the retirement of principal and interest on outstanding
16 bonds, notes, or other indebtedness incurred after June 30, 1978, and before
17 January 1, 1982, to pay costs of school construction projects approved under
18 AS 14.07.020(a)(11);

19 (B) cash payments made after June 30, 1978, and before July 1,
20 1982, by the municipality during the fiscal year two years earlier to pay costs
21 of school construction projects approved under AS 14.07.020(a)(11);

22 (4) subject to (h) and (i) of this section, up to 90 percent of

23 (A) payments made by the municipality during the current
24 fiscal year for the retirement of principal and interest on outstanding bonds,
25 notes, or other indebtedness incurred after December 31, 1981, and authorized
26 by the qualified voters of the municipality before July 1, 1983, to pay costs of
27 school construction, additions to schools, and major rehabilitation projects that
28 exceed \$25,000 and are approved under AS 14.07.020(a)(11);

29 (B) cash payments made after June 30, 1982, and before July 1,
30 1983, by the municipality during the fiscal year two years earlier to pay costs
31 of school construction, additions to schools, and major rehabilitation projects

1 that exceed \$25,000 and are approved under AS 14.07.020(a)(11); and

2 (C) payments made by the municipality during the current
3 fiscal year for the retirement of principal and interest on outstanding bonds,
4 notes, or other indebtedness to pay costs of school construction, additions to
5 schools, and major rehabilitation projects that exceed \$25,000 and are
6 submitted to the department for approval under AS 14.07.020(a)(11) before
7 July 1, 1983, and approved by the qualified voters of the municipality before
8 October 15, 1983, not to exceed a total project cost of (i) \$6,600,000 if the
9 annual growth rate of average daily membership of the municipality is more
10 than seven percent but less than 12 percent, or (ii) \$20,000,000 if the annual
11 growth rate of average daily membership of the municipality is 12 percent or
12 more; payments made by a municipality under this subparagraph on total
13 project costs that exceed the amounts set out in (i) and (ii) of this subparagraph
14 are subject to (5)(A) of this subsection;

15 (5) subject to (h) - (j) of this section, 80 percent of

16 (A) payments made by the municipality during the fiscal year
17 for the retirement of principal and interest on outstanding bonds, notes, or
18 other indebtedness authorized by the qualified voters of the municipality

19 (i) after June 30, 1983, but before March 31, 1990, to
20 pay costs of school construction, additions to schools, and major
21 rehabilitation projects that exceed \$25,000 and are approved under
22 AS 14.07.020(a)(11); or

23 (ii) before July 1, 1989, and reauthorized before
24 November 1, 1989, to pay costs of school construction, additions to
25 schools, and major rehabilitation projects that exceed \$25,000 and are
26 approved under AS 14.07.020(a)(11); and

27 (B) cash payments made after June 30, 1983, by the
28 municipality during the fiscal year two years earlier to pay costs of school
29 construction, additions to schools, and major rehabilitation projects that exceed
30 \$25,000 and are approved by the department before July 1, 1990, under
31 AS 14.07.020(a)(11);

1 (6) subject to (h) - (j) and (m) of this section, 70 percent of payments
2 made by the municipality during the fiscal year for the retirement of principal and
3 interest on outstanding bonds, notes, or other indebtedness authorized by the qualified
4 voters of the municipality on or after April 30, 1993, but before July 1, 1996, to pay
5 costs of school construction, additions to schools, and major rehabilitation projects
6 that exceed \$200,000 and are approved under AS 14.07.020(a)(11);

7 (7) subject to (h) - (j) and (m) of this section, 70 percent of payments
8 made by the municipality during the fiscal year for the retirement of principal and
9 interest on outstanding bonds, notes, or other indebtedness authorized by the qualified
10 voters of the municipality after March 31, 1990, but before April 30, 1993, to pay
11 costs of school construction, additions to schools, and major rehabilitation projects;

12 (8) subject to (h), (i), (j)(2) - (5), and (n) of this section and after
13 projects funded by the bonds, notes, or other indebtedness have been approved by the
14 commissioner, 70 percent of payments made by the municipality during the fiscal year
15 for the retirement of principal and interest on outstanding bonds, notes, or other
16 indebtedness authorized by the qualified voters of the municipality on or after July 1,
17 1995, but before July 1, 1998, to pay costs of school construction, additions to
18 schools, and major rehabilitation projects that exceed \$200,000 and are approved
19 under AS 14.07.020(a)(11);

20 (9) subject to (h), (i), (j)(2) - (5), and (n) of this section and after
21 projects funded by the bonds, notes, or other indebtedness have been approved by the
22 commissioner, 70 percent of payments made by the municipality during the fiscal year
23 for the retirement of principal and interest on outstanding bonds, notes, or other
24 indebtedness authorized by the qualified voters of the municipality on or after July 1,
25 1998, but before July 1, 2006, to pay costs of school construction, additions to
26 schools, and major rehabilitation projects that exceed \$200,000 and are approved
27 under AS 14.07.020(a)(11);

28 (10) subject to (h), (i), (j)(2) - (5), and (o) of this section, and after
29 projects funded by the bonds, notes, or other indebtedness have been approved by the
30 commissioner, 70 percent of payments made by the municipality during the fiscal year
31 for the retirement of principal and interest on outstanding bonds, notes, or other

1 indebtedness authorized by the qualified voters of the municipality on or after June 30,
2 1998, to pay costs of school construction, additions to schools, and major
3 rehabilitation projects that exceed \$200,000, are approved under AS 14.07.020(a)(11),
4 and are not reimbursed under (n) of this section;

5 (11) subject to (h), (i), and (j)(2) - (5) of this section, and after projects
6 funded by the bonds, notes, or other indebtedness have been approved by the
7 commissioner, 70 percent of payments made by a municipality during the fiscal year
8 for the retirement of principal and interest on outstanding bonds, notes, or other
9 indebtedness authorized by the qualified voters of the municipality on or after June 30,
10 1999, but before January 1, 2005, to pay costs of school construction, additions to
11 schools, and major rehabilitation projects and education-related facilities that exceed
12 \$200,000, are approved under AS 14.07.020(a)(11), and are not reimbursed under (n)
13 or (o) of this section;

14 (12) subject to (h), (i), and (j)(2), (3), and (5) of this section, 60 percent
15 of payments made by a municipality during the fiscal year for the retirement of
16 principal and interest on outstanding bonds, notes, or other indebtedness authorized by
17 the qualified voters of the municipality on or after June 30, 1999, but before January 1,
18 2005, to pay costs of school construction, additions to schools, and major
19 rehabilitation projects and education-related facilities that exceed \$200,000, are
20 reviewed under AS 14.07.020(a)(11), and are not reimbursed under (n) or (o) of this
21 section;

22 (13) subject to (h), (i), (j)(2) - (5), and (p) of this section, and after
23 projects funded by the tax exempt bonds, notes, or other indebtedness have been
24 approved by the commissioner, 70 percent of payments made by a municipality during
25 the fiscal year for the retirement of principal and interest on outstanding tax exempt
26 bonds, notes, or other indebtedness authorized by the qualified voters of the
27 municipality on or after June 30, 1999, but before October 31, 2006, to pay costs of
28 school construction, additions to schools, and major rehabilitation projects and
29 education-related facilities that exceed \$200,000, are approved under
30 AS 14.07.020(a)(11), and are not reimbursed under (n) or (o) of this section;

31 (14) subject to (h), (i), (j)(2), (3), and (5), and (p) of this section, 60

1 percent of payments made by a municipality during the fiscal year for the retirement
2 of principal and interest on outstanding tax exempt bonds, notes, or other indebtedness
3 authorized by the qualified voters of the municipality on or after June 30, 1999, but
4 before October 31, 2006, to pay costs of school construction, additions to schools, and
5 major rehabilitation projects and education-related facilities that exceed \$200,000, are
6 reviewed under AS 14.07.020(a)(11), and are not reimbursed under (n) or (o) of this
7 section;

8 (15) subject to (h), (i), (j)(2) - (5), and (q) of this section, and after
9 projects funded by the bonds, notes, or other indebtedness have been approved by the
10 commissioner, 90 percent of payments made by a municipality during the fiscal year
11 for the retirement of principal and interest on outstanding bonds, notes, or other
12 indebtedness authorized by the qualified voters of the municipality on or after June 30,
13 1999, but before October 31, 2006, to pay costs of school construction, additions to
14 schools, and major rehabilitation projects and education-related facilities that exceed
15 \$200,000, are approved under AS 14.07.020(a)(11), meet the 10 percent participating
16 share requirement for a municipal school district under the former participating share
17 amounts required under AS 14.11.008(b), and are not reimbursed under (n) or (o) of
18 this section;

19 (16) subject to (h), (i), and (j)(2) - (5) of this section, and after projects
20 funded by the tax exempt bonds, notes, or other indebtedness have been approved by
21 the commissioner, 70 percent of payments made by a municipality during the fiscal
22 year for the retirement of principal and interest on outstanding tax exempt bonds,
23 notes, or other indebtedness authorized by the qualified voters of the municipality on
24 or after October 1, 2006, to pay costs of school construction, additions to schools, and
25 major rehabilitation projects and education-related facilities that exceed \$200,000, are
26 approved under AS 14.07.020(a)(11), and are not reimbursed under (o) of this section;

27 (17) subject to (h), (i), and (j)(2), (3), and (5) of this section, 60 percent
28 of payments made by a municipality during the fiscal year for the retirement of
29 principal and interest on outstanding tax exempt bonds, notes, or other indebtedness
30 authorized by the qualified voters of the municipality on or after October 1, 2006, **but**
31 **before May 1, 2015,** to pay costs of school construction, additions to schools, and

1 major rehabilitation projects and education-related facilities that exceed \$200,000, are
2 reviewed under AS 14.07.020(a)(11), and are not reimbursed under (o) of this section;
3 **(18) subject to (h), (i), and (j)(2), (3), and (5) of this section, 50**
4 **percent of payments made by a municipality during the fiscal year for the**
5 **retirement of principal and interest on outstanding tax exempt bonds, notes, or**
6 **other indebtedness authorized by the qualified voters of the municipality on or**
7 **after May 1, 2015, to pay costs of school construction, additions to schools, and**
8 **major rehabilitation projects and education-related facilities that exceed**
9 **\$200,000, are reviewed under AS 14.07.020(a)(11), and are not reimbursed under**
10 **(o) of this section.**

11 * **Sec. 22.** AS 14.16 is amended by adding a new section to article 2 to read:

12 **Sec. 14.16.100. Application for residential school.** A school district shall
13 apply to the department for approval to establish and operate a statewide or district-
14 wide residential school. The department shall accept applications during an open
15 application period conducted annually. A period of open application in itself does not
16 indicate that the department will approve the establishment of a new residential
17 school.

18 * **Sec. 23.** AS 14.16.200(b) is amended to read:

19 (b) Costs that may be claimed by a district for reimbursement under (a) of this
20 section are

21 (1) one round trip on the least expensive means of transportation
22 between the student's community of residence and the school during the school year if
23 the district expends money for the trip; and

24 (2) a per-pupil monthly stipend to cover room and board expenses as
25 determined by the department on a regional basis and not to exceed the following
26 amounts:

27 (A) for the Southeast Region (Region I), **\$1,230** [\$820];

28 (B) for the Southcentral Region (Region II), **\$1,200** [\$800];

29 (C) for the Interior Region (Region III), **\$1,452** [\$968];

30 (D) for the Southwest Region (Region IV), **\$1,509** [\$1,006];

31 (E) for the Northern Remote Region (Region V), **\$1,776**

1 [\$1,184].

2 * **Sec. 24.** AS 14.17.410(c) is amended to read:

3 (c) In addition to the local contribution required under (b)(2) of this section, a
4 city or borough school district in a fiscal year may make a local contribution of not
5 more than the greater of

6 (1) the equivalent of a two mill tax levy on the full and true value of
7 the taxable real and personal property in the district as of January 1 of the second
8 preceding fiscal year, as determined by the Department of Commerce, Community,
9 and Economic Development under AS 14.17.510 and AS 29.45.110; or

10 (2) 23 percent of **the total of** the district's basic need for the fiscal year
11 under (b)(1) of this section **and any additional funding distributed to the district in**
12 **a fiscal year according to (b) of this section.**

13 * **Sec. 25.** AS 14.17.430 is amended to read:

14 **Sec. 14.17.430. State funding for correspondence study.** Except as provided
15 in AS 14.17.400(b), funding for the state centralized correspondence study program or
16 a district correspondence program, including a district that offers a statewide
17 correspondence study program, includes an allocation from the public education fund
18 in an amount calculated by multiplying the ADM of the correspondence program by
19 **90** [80] percent.

20 * **Sec. 26.** AS 14.17.450(d) is amended to read:

21 (d) If a charter school has a student count of **at least 75** [MORE THAN 120]
22 but less than 150 for the current year and is in the first **three years** [YEAR] of
23 operation or had a student count of **at least 75** [150 OR MORE] in the previous year
24 of operation,

25 (1) the adjusted student count for the school shall be calculated by
26 multiplying the student count by [95 PERCENT OF] the student rate for a school that
27 has a student count of 150; and

28 (2) not later than February 15, the charter school shall submit for
29 approval of the governing board of the district a plan for the following school year that
30 includes a statement about whether the school will continue to operate if the student
31 count remains the same that year and, if so, a projection of the funding anticipated

1 from the state and other sources, a proposed budget, and a description of anticipated
2 changes to the school staff, program, and curriculum; if the school intends to close if
3 the student count remains the same the following year, the plan must describe transfer
4 plans for students, staff, facilities, and materials.

5 * **Sec. 27.** AS 14.17.470 is amended to read:

6 **Sec. 14.17.470. Base student allocation.** The base student allocation is
7 **\$5,830** [\$5,680].

8 * **Sec. 28.** AS 14.17.470, as amended by sec. 27 of this Act, is amended to read:

9 **Sec. 14.17.470. Base student allocation.** The base student allocation is
10 **\$5,880** [\$5,830].

11 * **Sec. 29.** AS 14.17.470, as amended by secs. 27 and 28 of this Act, is amended to read:

12 **Sec. 14.17.470. Base student allocation.** The base student allocation is
13 **\$5,930** [\$5,880].

14 * **Sec. 30.** AS 23.15.835(a) is amended to read:

15 (a) In the manner provided in AS 23.20 and for the benefit of the program, the
16 department shall collect from each employee an amount equal to **.16** [.15] percent of
17 the wages, as set out in AS 23.20.175, on which the employee is required to make
18 contributions under AS 23.20.290(d). The department shall remit to the Department of
19 Revenue, in accordance with AS 37.10.050, money collected under this subsection.

20 * **Sec. 31.** AS 23.15.835(d) is amended to read:

21 (d) Notwithstanding AS 23.15.840(a), for the fiscal years ending June 30,
22 **2015** [2009], through June 30, **2017** [2014], the money collected under this section or
23 otherwise appropriated to the Alaska Workforce Investment Board, formerly known as
24 the Alaska Human Resource Investment Council, shall be allocated directly in the
25 following percentages to the following institutions for programs consistent with
26 AS 23.15.820 - 23.15.850 and capital improvements:

27	University of Alaska	45 percent
28	[UNIVERSITY OF ALASKA SOUTHEAST	5 PERCENT]
29	Galena <u>Interior Learning Academy</u> [PROJECT	4 percent
30	EDUCATION VOCATIONAL TRAINING CENTER]	
31	<u>Alaska</u> [KOTZEBUE] Technical Center	9 percent

1	Alaska Vocational Technical Center	17 percent
2	Northwestern Alaska Career and Technical Center	3 percent
3	Southwest Alaska Vocational and Education Center	3 percent
4	Yuut Elitnaurviat, Inc. People's Learning Center	9 percent
5	<u>Partners for Progress in Delta, Inc.</u> [DELTA CAREER	3 percent
6	ADVANCEMENT CENTER]	
7	<u>Amundsen Educational Center</u> [NEW FRONTIER	2 percent
8	VOCATIONAL TECHNICAL CENTER]	
9	<u>Ilisagvik College</u>	<u>5 percent.</u>

10 * **Sec. 32.** AS 23.15.835(e) is amended to read:

11 (e) The institutions receiving funding under (d) of this section shall provide an
 12 expenditure and performance report to the department by November 1 of each year
 13 that includes [THE]

14 (1) **the** percentage of former participants in the program who have jobs
 15 one year after leaving the program;

16 (2) **the** median wage of former participants seven to 12 months after
 17 leaving the program;

18 (3) **the** percentage of former participants who were employed after
 19 leaving the program who received training under the program that was related or
 20 somewhat related to the former participants' jobs seven to 12 months after leaving the
 21 program;

22 (4) **a description of each vocational education course funded**
 23 **through the allocation set out in (d) of this section that permits high school**
 24 **students to earn dual credit upon course completion, and the number of high**
 25 **school students who earned dual credit in the past year;**

26 (5) **a copy of any articulation agreement established under (g) of**
 27 **this section that either was in effect for the preceding year or is in process for the**
 28 **next year of funding, and the number of high school students who earned dual**
 29 **credit under each articulation agreement; and**

30 (6) **the performance and financial information needed to verify the**
 31 **performance of the program as specified by the department by regulation**

1 [PERCENTAGE OF FORMER PARTICIPANTS WHO INDICATE SOME LEVEL
2 OF SATISFACTION WITH THE TRAINING RECEIVED UNDER THE
3 PROGRAM; AND

4 (5) PERCENTAGE OF EMPLOYERS WHO INDICATE
5 SATISFACTION WITH THE SERVICES PROVIDED THROUGH THE
6 PROGRAM].

7 * **Sec. 33.** AS 23.15.835 is amended by adding new subsections to read:

8 (g) The institutions receiving funding under (d) of this section shall establish
9 and maintain at least one articulation agreement under which dual credit may be
10 earned by high school students upon completion of a vocational education course.

11 (h) An institution's failure to comply with (e) or (g) of this section shall result
12 in a withholding penalty of 20 percent of the funding allocated under (d) of this
13 section in the following year.

14 * **Sec. 34.** AS 23.15.850 is amended by adding new paragraphs to read:

15 (3) "articulation agreement" means a dual-credit partnership between a
16 school district and an institution receiving funding under AS 23.15.835(d) that
17 describes vocational education courses, student eligibility, course location, academic
18 policies, student support services, credit on a student's transcript, funding, and other
19 items required by the partnering institutions;

20 (4) "dual credit" means simultaneous high school credit and credit
21 toward a career or vocational certification.

22 * **Sec. 35.** AS 29.45.050 is amended by adding a new subsection to read:

23 (v) A municipality may by ordinance classify and exempt or partially exempt
24 from taxation all or a portion of privately owned real property rented or leased for use
25 as a charter school established under AS 14.03.250.

26 * **Sec. 36.** AS 43.20.014(a) is amended to read:

27 (a) A taxpayer is allowed a credit against the tax due under this chapter for
28 cash contributions accepted for

29 (1) direct instruction, research, and educational support purposes,
30 including library and museum acquisitions, and contributions to endowment, by an
31 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year

1 or four-year college accredited by a regional accreditation association, **or by a public**
2 **or private nonprofit elementary or secondary school in the state;**

3 (2) secondary school level vocational education courses, programs, and
4 facilities by a school district in the state;

5 (3) vocational education courses, programs, **equipment,** and facilities
6 by a state-operated vocational technical education and training school, **a nonprofit**
7 **regional training center recognized by the Department of Labor and Workforce**
8 **Development, and an apprenticeship program in the state that is registered with**
9 **the United States Department of Labor under 29 U.S.C. 50 - 50b (National**
10 **Apprenticeship Act);**

11 (4) a facility [OR AN ANNUAL INTERCOLLEGIATE SPORTS
12 TOURNAMENT] by a nonprofit, public or private, Alaska two-year or four-year
13 college accredited by a regional accreditation association **or by a public or private**
14 **nonprofit elementary or secondary school in the state;**

15 (5) Alaska Native cultural or heritage programs and educational
16 support, including mentoring and tutoring, provided by a nonprofit agency for public
17 school staff and for students who are in grades kindergarten through 12 in the state;

18 (6) education, research, rehabilitation, and facilities by an institution
19 that is located in the state and that qualifies as a coastal ecosystem learning center
20 under the Coastal America Partnership established by the federal government; [AND]

21 (7) the Alaska higher education investment fund under AS 37.14.750;

22 **(8) funding a scholarship awarded by a nonprofit organization to a**
23 **dual-credit student to defray the cost of a dual-credit course, including the cost of**

24 **(A) tuition and textbooks;**

25 **(B) registration, course, and programmatic student fees;**

26 **(C) on-campus room and board at the postsecondary**
27 **institution in the state that provides the dual-credit course;**

28 **(D) transportation costs to and from a residential school**
29 **approved by the Department of Education and Early Development under**
30 **AS 14.16.200 or the postsecondary school in the state that provides the**
31 **dual-credit course; and**

1 (E) other related educational and programmatic costs;
2 (9) constructing, operating, or maintaining a residential housing
3 facility by a residential school in the state approved by the Department of
4 Education and Early Development under AS 14.16.200;

5 (10) childhood early learning and development programs and
6 educational support to childhood early learning and development programs
7 provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or
8 a school district in the state, by the Department of Education and Early
9 Development, or through a state grant;

10 (11) science, technology, engineering, and math programs
11 provided by a nonprofit agency or a school district for school staff and for
12 students in grades kindergarten through 12 in the state; and

13 (12) the operation of a nonprofit organization dedicated to
14 providing educational opportunities that promote the legacy of public service
15 contributions to the state and perpetuate ongoing educational programs that
16 foster public service leadership for future generations of residents of the state.

17 * **Sec. 37.** AS 43.20.014(a), as amended by sec. 14, ch. 92, SLA 2010, sec. 14, ch. 7,
18 FSSLA 2011, and sec. 15, ch. 74, SLA 2012, is amended to read:

19 (a) A taxpayer is allowed a credit against the tax due under this chapter for
20 cash contributions accepted

21 (1) for direct instruction, research, and educational support purposes,
22 including library and museum acquisitions, and contributions to endowment, by an
23 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
24 or four-year college accredited by a regional accreditation association, or by a public
25 or private nonprofit elementary or secondary school in the state;

26 (2) for secondary school level vocational education courses and
27 programs by a school district in the state;

28 (3) for vocational education courses, programs, equipment, and
29 facilities by a state-operated vocational technical education and training school, a
30 nonprofit regional training center recognized by the Department of Labor and
31 Workforce Development, and an apprenticeship program in the state that is

1 registered with the United States Department of Labor under 29 U.S.C. 50 - 50b
2 (National Apprenticeship Act); [AND]

3 (4) for the Alaska higher education investment fund under
4 AS 37.14.750;

5 (5) for funding a scholarship awarded by a nonprofit organization
6 to a dual-credit student to defray the cost of a dual-credit course, including the
7 cost of

8 (A) tuition and textbooks;

9 (B) registration, course, and programmatic student fees;

10 (C) on-campus room and board at the postsecondary
11 institution in the state that provides the dual-credit course;

12 (D) transportation costs to and from a residential school
13 approved by the Department of Education and Early Development under
14 AS 14.16.200 or the postsecondary school in the state that provides the
15 dual-credit course; and

16 (E) other related educational and programmatic costs;

17 (6) for constructing, operating, or maintaining a residential
18 housing facility by a residential school approved by the Department of Education
19 and Early Development under AS 14.16.200;

20 (7) for childhood early learning and development programs and
21 educational support to childhood early learning and development programs
22 provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or
23 a school district in the state, by the Department of Education and Early
24 Development, or through a state grant; and

25 (8) for the operation of a nonprofit organization dedicated to
26 providing educational opportunities that promote the legacy of public service
27 contributions to the state and perpetuate ongoing educational programs that
28 foster public service leadership for future generations of residents of the state.

29 * Sec. 38. AS 43.20.014(f) is amended by adding new paragraphs to read:

30 (3) "dual-credit student" means a secondary level student in the state
31 who simultaneously earns college and high school credit for a course;

1 (4) "nonprofit organization" means a charitable or educational
2 organization in the state that is exempt from taxation under 26 U.S.C. 501(c)(3)
3 (Internal Revenue Code).

4 * **Sec. 39.** AS 43.65.018(a) is amended to read:

5 (a) A person engaged in the business of mining in the state is allowed a credit
6 against the tax due under this chapter for cash contributions accepted for

7 (1) direct instruction, research, and educational support purposes,
8 including library and museum acquisitions, and contributions to endowment, by an
9 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
10 or four-year college accredited by a regional accreditation association, **or by a public**
11 **or private nonprofit elementary or secondary school in the state;**

12 (2) secondary school level vocational education courses, programs, and
13 facilities by a school district in the state;

14 (3) vocational education courses, programs, and facilities by a state-
15 operated vocational technical education and training school;

16 (4) a facility [OR AN ANNUAL INTERCOLLEGIATE SPORTS
17 TOURNAMENT] by a nonprofit, public or private, Alaska two-year or four-year
18 college accredited by a regional accreditation association **or by a public or private**
19 **nonprofit elementary or secondary school in the state;**

20 (5) Alaska Native cultural or heritage programs and educational
21 support, including mentoring and tutoring, provided by a nonprofit agency for public
22 school staff and for students who are in grades kindergarten through 12 in the state;

23 (6) education, research, rehabilitation, and facilities by an institution
24 that is located in the state and that qualifies as a coastal ecosystem learning center
25 under the Coastal America Partnership established by the federal government; [AND]

26 (7) the Alaska higher education investment fund under AS 37.14.750;

27 **(8) funding a scholarship awarded by a nonprofit organization to a**
28 **dual-credit student to defray the cost of a dual-credit course, including the cost of**

29 **(A) tuition and textbooks;**

30 **(B) registration, course, and programmatic student fees;**

31 **(C) on-campus room and board at the postsecondary**

1 institution in the state that provides the dual-credit course;

2 (D) transportation costs to and from a residential school
3 approved by the Department of Education and Early Development under
4 AS 14.16.200 or the postsecondary school in the state that provides the
5 dual-credit course; and

6 (E) other related educational and programmatic costs;

7 (9) constructing, operating, or maintaining a residential housing
8 facility by a residential school approved by the Department of Education and
9 Early Development under AS 14.16.200;

10 (10) childhood early learning and development programs and
11 educational support to childhood early learning and development programs
12 provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or
13 a school district in the state, by the Department of Education and Early
14 Development, or through a state grant;

15 (11) science, technology, engineering, and math programs
16 provided by a nonprofit agency or a school district for school staff and for
17 students in grades kindergarten through 12 in the state; and

18 (12) the operation of a nonprofit organization dedicated to
19 providing educational opportunities that promote the legacy of public service
20 contributions to the state and perpetuate ongoing educational programs that
21 foster public service leadership for future generations of residents of the state.

22 * **Sec. 40.** AS 43.65.018(a), as amended by sec. 35, ch. 92, SLA 2010, sec. 14, ch. 7,
23 FSSLA 2011, and sec. 21, ch. 74, SLA 2012, is amended to read:

24 (a) A person engaged in the business of mining in the state is allowed a credit
25 against the tax due under this chapter for cash contributions accepted

26 (1) for direct instruction, research, and educational support purposes,
27 including library and museum acquisitions, and contributions to endowment, by an
28 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
29 or four-year college accredited by a regional accreditation association, or by a public
30 or private nonprofit elementary or secondary school in the state;

31 (2) for secondary school level vocational education courses and

1 programs by a school district in the state;

2 (3) by a state-operated vocational technical education and training
3 school; [AND]

4 (4) for the Alaska higher education investment fund under
5 AS 37.14.750;

6 **(5) for funding a scholarship awarded by a nonprofit organization**
7 **to a dual-credit student to defray the cost of a dual-credit course, including the**
8 **cost of**

9 **(A) tuition and textbooks;**

10 **(B) registration, course, and programmatic student fees;**

11 **(C) on-campus room and board at the postsecondary**
12 **institution in the state that provides the dual-credit course;**

13 **(D) transportation costs to and from a residential school**
14 **approved by the Department of Education and Early Development under**
15 **AS 14.16.200 or the postsecondary school in the state that provides the**
16 **dual-credit course; and**

17 **(E) other related educational and programmatic costs;**

18 **(6) for constructing, operating, or maintaining a residential**
19 **housing facility by a residential school approved by the Department of Education**
20 **and Early Development under AS 14.16.200;**

21 **(7) for childhood early learning and development programs and**
22 **educational support to childhood early learning and development programs**
23 **provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or**
24 **a school district in the state, by the Department of Education and Early**
25 **Development, or through a state grant; and**

26 **(8) for the operation of a nonprofit organization dedicated to**
27 **providing educational opportunities that promote the legacy of public service**
28 **contributions to the state and perpetuate ongoing educational programs that**
29 **foster public service leadership for future generations of residents of the state.**

30 * **Sec. 41.** AS 43.65.018(f) is amended by adding new paragraphs to read:

31 (3) "dual-credit student" means a secondary level student in the state

1 who simultaneously earns college and high school credit for a course;

2 (4) "nonprofit organization" means a charitable or educational
3 organization in the state that is exempt from taxation under 26 U.S.C. 501(c)(3)
4 (Internal Revenue Code).

5 * **Sec. 42.** AS 43.75.018(a) is amended to read:

6 (a) A person engaged in a fisheries business is allowed a credit against the tax
7 due under this chapter for cash contributions accepted for

8 (1) direct instruction, research, and educational support purposes,
9 including library and museum acquisitions, and contributions to endowment, by an
10 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
11 or four-year college accredited by a regional accreditation association, **or by a public**
12 **or private nonprofit elementary or secondary school in the state;**

13 (2) secondary school level vocational education courses, programs, and
14 facilities by a school district in the state;

15 (3) vocational education courses, programs, and facilities by a state-
16 operated vocational technical education and training school;

17 (4) a facility [OR AN ANNUAL INTERCOLLEGIATE SPORTS
18 TOURNAMENT] by a nonprofit, public or private, Alaska two-year or four-year
19 college accredited by a regional accreditation association **or by a public or private**
20 **nonprofit elementary or secondary school in the state;**

21 (5) Alaska Native cultural or heritage programs and educational
22 support, including mentoring and tutoring, provided by a nonprofit agency for public
23 school staff and for students who are in grades kindergarten through 12 in the state;

24 (6) education, research, rehabilitation, and facilities by an institution
25 that is located in the state and that qualifies as a coastal ecosystem learning center
26 under the Coastal America Partnership established by the federal government; [AND]

27 (7) the Alaska higher education investment fund under AS 37.14.750;

28 **(8) funding a scholarship awarded by a nonprofit organization to a**
29 **dual-credit student to defray the cost of a dual-credit course, including the cost of**

30 **(A) tuition and textbooks;**

31 **(B) registration, course, and programmatic student fees;**

1 (C) on-campus room and board at the postsecondary
2 institution in the state that provides the dual-credit course;

3 (D) transportation costs to and from a residential school
4 approved by the Department of Education and Early Development under
5 AS 14.16.200 or the postsecondary school in the state that provides the
6 dual-credit course; and

7 (E) other related educational and programmatic costs;

8 (9) constructing, operating, or maintaining a residential housing
9 facility by a residential school approved by the Department of Education and
10 Early Development under AS 14.16.200;

11 (10) childhood early learning and development programs and
12 educational support to childhood early learning and development programs
13 provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or
14 a school district in the state, by the Department of Education and Early
15 Development, or through a state grant;

16 (11) science, technology, engineering, and math programs
17 provided by a nonprofit agency or a school district for school staff and for
18 students in grades kindergarten through 12 in the state; and

19 (12) the operation of a nonprofit organization dedicated to
20 providing educational opportunities that promote the legacy of public service
21 contributions to the state and perpetuate ongoing educational programs that
22 foster public service leadership for future generations of residents of the state.

23 * **Sec. 43.** AS 43.75.018(a), as amended by sec. 42, ch. 92, SLA 2010, sec. 14, ch. 7,
24 FSSLA 2011, and sec. 23, ch. 74, SLA 2012, is amended to read:

25 (a) A person engaged in a fisheries business is allowed a credit against the tax
26 due under this chapter for cash contributions accepted

27 (1) for direct instruction, research, and educational support purposes,
28 including library and museum acquisitions, and contributions to endowment, by an
29 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
30 or four-year college accredited by a regional accreditation association, or by a public
31 or private nonprofit elementary or secondary school in the state;

1 (2) for secondary school level vocational education courses and
2 programs by a school district in the state;

3 (3) by a state-operated vocational technical education and training
4 school; [AND]

5 (4) for the Alaska higher education investment fund under
6 AS 37.14.750;

7 **(5) for funding a scholarship awarded by a nonprofit organization**
8 **to a dual-credit student to defray the cost of a dual-credit course, including the**
9 **cost of**

10 **(A) tuition and textbooks;**

11 **(B) registration, course, and programmatic student fees;**

12 **(C) on-campus room and board at the postsecondary**
13 **institution in the state that provides the dual-credit course;**

14 **(D) transportation costs to and from a residential school**
15 **approved by the Department of Education and Early Development under**
16 **AS 14.16.200 or the postsecondary school in the state that provides the**
17 **dual-credit course; and**

18 **(E) other related educational and programmatic costs;**

19 **(6) for constructing, operating, or maintaining a residential**
20 **housing facility by a residential school approved by the Department of Education**
21 **and Early Development under AS 14.16.200;**

22 **(7) for childhood early learning and development programs and**
23 **educational support to childhood early learning and development programs**
24 **provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or**
25 **a school district in the state, by the Department of Education and Early**
26 **Development, or through a state grant; and**

27 **(8) for the operation of a nonprofit organization dedicated to**
28 **providing educational opportunities that promote the legacy of public service**
29 **contributions to the state and perpetuate ongoing educational programs that**
30 **foster public service leadership for future generations of residents of the state.**

31 * **Sec. 44.** AS 43.75.018(f) is amended by adding new paragraphs to read:

1 (3) "dual-credit student" means a secondary level student in the state
2 who simultaneously earns college and high school credit for a course;

3 (4) "nonprofit organization" means a charitable or educational
4 organization in the state that is exempt from taxation under 26 U.S.C. 501(c)(3)
5 (Internal Revenue Code).

6 * **Sec. 45.** AS 43.77.045(a) is amended to read:

7 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in
8 a floating fisheries business is allowed a credit against the tax due under this chapter
9 for cash contributions accepted for

10 (1) direct instruction, research, and educational support purposes,
11 including library and museum acquisitions, and contributions to endowment, by an
12 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
13 or four-year college accredited by a regional accreditation association, **or by a public**
14 **or private nonprofit elementary or secondary school in the state;**

15 (2) secondary school level vocational education courses, programs, and
16 facilities by a school district in the state;

17 (3) vocational education courses, programs, and facilities by a state-
18 operated vocational technical education and training school;

19 (4) a facility [OR AN ANNUAL INTERCOLLEGIATE SPORTS
20 TOURNAMENT] by a nonprofit, public or private, Alaska two-year or four-year
21 college accredited by a regional accreditation association **or by a public or private**
22 **nonprofit elementary or secondary school in the state;**

23 (5) Alaska Native cultural or heritage programs and educational
24 support, including mentoring and tutoring, provided by a nonprofit agency for public
25 school staff and for students who are in grades kindergarten through 12 in the state;

26 (6) education, research, rehabilitation, and facilities by an institution
27 that is located in the state and that qualifies as a coastal ecosystem learning center
28 under the Coastal America Partnership established by the federal government; [AND]

29 (7) the Alaska higher education investment fund under AS 37.14.750;

30 **(8) funding a scholarship awarded by a nonprofit organization to a**
31 **dual-credit student to defray the cost of a dual-credit course, including the cost of**

1 (A) tuition and textbooks;

2 (B) registration, course, and programmatic student fees;

3 (C) on-campus room and board at the postsecondary
4 institution in the state that provides the dual-credit course;

5 (D) transportation costs to and from a residential school
6 approved by the Department of Education and Early Development under
7 AS 14.16.200 or the postsecondary school in the state that provides the
8 dual-credit course; and

9 (E) other related educational and programmatic costs;

10 (9) constructing, operating, or maintaining a residential housing
11 facility by a residential school approved by the Department of Education and
12 Early Development under AS 14.16.200;

13 (10) childhood early learning and development programs and
14 educational support to childhood early learning and development programs
15 provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or
16 a school district in the state, by the Department of Education and Early
17 Development, or through a state grant;

18 (11) science, technology, engineering, and math programs
19 provided by a nonprofit agency or a school district for school staff and for
20 students in grades kindergarten through 12 in the state; and

21 (12) the operation of a nonprofit organization dedicated to
22 providing educational opportunities that promote the legacy of public service
23 contributions to the state and perpetuate ongoing educational programs that
24 foster public service leadership for future generations of residents of the state.

25 * **Sec. 46.** AS 43.77.045(a), as amended by sec. 49, ch. 92, SLA 2010, sec. 14, ch. 7,
26 FSSLA 2011, and sec. 25, ch. 74, SLA 2012, is amended to read:

27 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in
28 a floating fisheries business is allowed a credit against the tax due under this chapter
29 for cash contributions accepted

30 (1) for direct instruction, research, and educational support purposes,
31 including library and museum acquisitions, and contributions to endowment, by an

1 Alaska university foundation, [OR] by a nonprofit, public or private, Alaska two-year
2 or four-year college accredited by a regional accreditation association, **or by a public**
3 **or private nonprofit elementary or secondary school in the state;**

4 (2) for secondary school level vocational education courses and
5 programs by a school district in the state;

6 (3) by a state-operated vocational technical education and training
7 school; [AND]

8 (4) for the Alaska higher education investment fund under
9 AS 37.14.750;

10 **(5) for funding a scholarship awarded by a nonprofit organization**
11 **to a dual-credit student to defray the cost of a dual-credit course, including the**
12 **cost of**

13 **(A) tuition and textbooks;**

14 **(B) registration, course, and programmatic student fees;**

15 **(C) on-campus room and board at the postsecondary**
16 **institution in the state that provides the dual-credit course;**

17 **(D) transportation costs to and from a residential school**
18 **approved by the Department of Education and Early Development under**
19 **AS 14.16.200 or the postsecondary school in the state that provides the**
20 **dual-credit course; and**

21 **(E) other related educational and programmatic costs;**

22 **(6) for constructing, operating, or maintaining a residential**
23 **housing facility by a residential school approved by the Department of Education**
24 **and Early Development under AS 14.16.200;**

25 **(7) for childhood early learning and development programs and**
26 **educational support to childhood early learning and development programs**
27 **provided by a nonprofit corporation organized under AS 10.20, a tribal entity, or**
28 **a school district in the state, by the Department of Education and Early**
29 **Development, or through a state grant; and**

30 **(8) for the operation of a nonprofit organization dedicated to**
31 **providing educational opportunities that promote the legacy of public service**

1 contributions to the state and perpetuate ongoing educational programs that
2 foster public service leadership for future generations of residents of the state.

3 * **Sec. 47.** AS 43.77.045(f) is amended by adding new paragraphs to read:

4 (3) "dual-credit student" means a secondary level student in the state
5 who simultaneously earns college and high school credit for a course;

6 (4) "nonprofit organization" means a charitable or educational
7 organization in the state that is exempt from taxation under 26 U.S.C. 501(c)(3)
8 (Internal Revenue Code).

9 * **Sec. 48.** AS 14.20.147(b) is repealed.

10 * **Sec. 49.** Section 3, ch. 91, SLA 2010, is repealed.

11 * **Sec. 50.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 PILOT PROJECT TO EXPAND MIDDLE SCHOOL SCIENCE, TECHNOLOGY,
14 ENGINEERING, AND MATHEMATICS EDUCATION. (a) Subject to appropriation, the
15 Department of Education and Early Development may award a grant to a nonprofit
16 organization for a pilot project for the purpose of expanding science, technology, engineering,
17 and mathematics education for underserved and unrepresented middle school students with
18 limited opportunities who are enrolled in a public school in the state. A nonprofit organization
19 may apply for the grant by submitting an application to the commissioner of education and
20 early development. A grant may be awarded only to a nonprofit organization with experience
21 in administering a similar education program.

22 (b) A nonprofit organization receiving a grant under (a) of this section shall provide
23 data on educational opportunities provided under the pilot project in an annual report to the
24 Department of Education and Early Development and the legislature.

25 (c) The pilot project established under (a) of this section terminates June 30, 2017.

26 * **Sec. 51.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 RETROACTIVE ISSUANCE OF A HIGH SCHOOL DIPLOMA. (a) At the request
29 of a student, a school district shall issue a high school diploma to a student who did not
30 receive a high school diploma because the student failed to pass all or a portion of the
31 secondary school competency examination but who received a certificate of achievement

1 under former AS 14.03.075. A school district shall mail a notice consistent with this section to
2 each student who qualifies for a diploma under this section to the student's last known
3 address.

4 (b) The Department of Education and Early Development shall post a notice
5 consistent with this section on the department's Internet website with information about how
6 to request a high school diploma.

7 (c) In this section, "school district" has the meaning given in AS 14.30.350.

8 * **Sec. 52.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 DEPARTMENT OF ADMINISTRATION SALARY AND BENEFITS PROPOSAL.

11 Not later than June 15, 2015, the Department of Administration shall present to the legislature
12 a written proposal for a salary and benefits schedule for school districts, including an
13 evaluation of, and recommendations for, teacher tenure. In this section, "school district" has
14 the meaning given in AS 14.30.350.

15 * **Sec. 53.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 SCHOOL DESIGN AND CONSTRUCTION REPORT. The Department of
18 Education and Early Development shall prepare and submit a report to the legislature not later
19 than June 15, 2015, on the benefits and disadvantages of using prototypical designs for school
20 construction in both the Railbelt and rural areas of the state.

21 * **Sec. 54.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 LEGISLATIVE BUDGET AND AUDIT COMMITTEE STUDIES OF PUBLIC
24 SCHOOL FUNDING. The Legislative Budget and Audit Committee shall procure two studies
25 to be completed not later than June 15, 2015, by an entity or entities with expertise in school
26 finance to evaluate the current education funding provisions, identify strengths and
27 deficiencies, and validate the current funding provisions, recommend changes to the current
28 funding provisions, or recommend alternate methods of education funding. The studies must
29 include, but are not limited to, consideration of

30 (1) for the first study,

31 (A) stable and predictable funding for basic education needs and an

1 ancillary system of providing funding above basic education needs;

2 (B) appropriate proportions and mechanisms for state and local
3 contributions to public school funding;

4 (C) methods for funding alternate public school options, including
5 charter schools, residential schools, and correspondence programs;

6 (2) for the second study, current public school funding provisions under
7 AS 14.11 - AS 14.17, with particular focus on

8 (A) the school size factor under AS 14.17.450, including a review of
9 the most recent school operating cost data and the same criteria used in the "Alaska
10 School Operating Cost Study" by the McDowell Group in 1998;

11 (B) the school district cost factor under AS 14.17.460, including a
12 review of the most recent school district operating cost data and the same criteria used
13 in the "Alaska School District Cost Study Update" by the Institute of Social and
14 Economic Research in 2005.

15 * **Sec. 55.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 GRANTS TO SCHOOL DISTRICTS. (a) The Department of Education and Early
18 Development shall distribute \$42,953,500 as state aid to school districts according to the
19 average daily membership for each district adjusted under AS 14.17.410(b)(1)(A) - (D), for
20 the fiscal year ending June 30, 2015.

21 (b) The Department of Education and Early Development shall distribute \$32,243,700
22 as state aid to school districts according to the average daily membership for each district
23 adjusted under AS 14.17.410(b)(1)(A) - (D), for the fiscal year ending June 30, 2016.

24 (c) The Department of Education and Early Development shall distribute \$19,904,200
25 as state aid to school districts according to the average daily membership for each district
26 adjusted under AS 14.17.410(b)(1)(A) - (D), for the fiscal year ending June 30, 2017.

27 * **Sec. 56.** The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 TRANSITION: CHARTER SCHOOL APPLICATIONS. Sections 9 and 10 of this
30 Act apply to charter school applications filed with a local school board on or after July 1,
31 2014.

1 * **Sec. 57.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 TRANSITION: REGULATIONS. The Department of Education and Early
4 Development, the Department of Labor and Workforce Development, and the Department of
5 Revenue may adopt regulations necessary to implement their respective changes made by this
6 Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not
7 before the effective date of the relevant provision of this Act implemented by the regulation.

8 * **Sec. 58.** Sections 31 and 57 of this Act take effect immediately under AS 01.10.070(c).

9 * **Sec. 59.** Sections 28 and 32 - 34 of this Act take effect July 1, 2015.

10 * **Sec. 60.** Section 29 of this Act takes effect July 1, 2016.

11 * **Sec. 61.** Sections 37, 40, 43, and 46 of this Act take effect January 1, 2021.

12 * **Sec. 62.** Except as provided in secs. 58 - 61 of this Act, this Act takes effect July 1, 2014.