

4 AAC 06.076 is repealed:

4 AAC 06.076. Determination of school age. Repealed. (Eff. 1/28/2000, Register 153; repealed 12/25/2015, Register 216)

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

4 AAC 06.718. College and career readiness assessment after student receives a certificate of achievement. (a) A district shall provide a secondary school diploma to a person who

(1) holds a certificate of achievement issued by the district under AS 14.03.075(b); and

(2) takes a college and career readiness assessment.

(b) A person may satisfy the requirement of (a)(2) of this section by taking a college and career readiness assessment

(1) offered through a school district, whether during or outside regular school hours; or

(2) offered outside the state's public school system.

(c) A district shall permit a person who has exited secondary school to take a college and career readiness assessment, when the assessment is administered by the district during school hours or outside school hours, if the person

(1) holds a certificate of achievement issued under AS 14.03.075(b) by the district or provides evidence to the district that the person holds a certificate of achievement issued under AS 14.03.075(b) by another school district in the state;

(2) meets all test registration requirements of the district and the test vendor; and

(3) pays applicable fees charged by the district or the test vendor.

(d) Only the district that issued the certificate of achievement may issue a secondary school diploma to the person under this section.

(e) To obtain a secondary school diploma under this section, a person must submit to the district that issued the person a certificate of achievement

(1) a written request for a secondary school diploma;

(2) a score report issued by the test vendor for a college and career readiness assessment taken by the person; and

(3) any fee that the district assesses for the issuance of a diploma under this section.

(f) A district may assess a fee for the issuance of a diploma only if the fee is required under a written district policy adopted by the governing body of the district.

(g) Not later than 90 days after receiving a request that complies with (e) of this section, a district shall issue a secondary diploma to a person who submits a request under (e) of this section. (Eff. 12/25/2015, Register 216)

Authority:	AS 14.03.060	AS 14.07.020	AS 14.07.060
	AS 14.03.075	AS 14.07.030	AS 14.07.165

4 AAC 06.723 is amended to read:

4 AAC 06.723. Rare or unusual circumstances. For purposes of a waiver from taking a college and career readiness assessment under 4 AAC 06.717, a student has a rare or unusual circumstance meriting a waiver if [.]

(1) a recourse or remedy other than a waiver does not exist to address the circumstance before the student's expected graduation date; and

(2) the circumstance was beyond the control of the student [, THE STUDENT'S PARENTS, AND THE SCHOOL]; for purposes of this paragraph, a circumstance beyond the control of the student [, THE STUDENT'S PARENTS, AND THE SCHOOL] is limited to

(A) the death of the student's parent **or legal guardian** if the death occurs within the last semester of the student's year of intended graduation;

(B) a medical condition that is a serious and sudden illness or physical injury that occurs in the last semester of the student's year of intended graduation and that prevents the student from taking a college and career readiness assessment; the request for a waiver must include an affidavit or certification from the student's treating licensed medical professional that the diagnosed medical condition prevented the student from taking a college and career readiness assessment and was beyond the control of the student [AND THE STUDENT'S PARENTS]; the following conditions are not rare or unusual circumstances under this section:

(i) pregnancy or childbirth, unless the affidavit or certification verifies that an emergency occurred that meets the requirements of this subparagraph;

(ii) treatable depression, stress, or stress-related conditions, unless the affidavit or certification verifies that an emergency occurred that meets the requirements of this subparagraph;

(iii) a condition caused by illegal alcohol or substance use;

(C) a disability arising in the student's secondary school enrollment and the disability arising too late to apply for a meaningful accommodation from the testing vendor; a waiver under this subparagraph must be consistent with the recommendations of the student's IEP or section 504 team; a request for a waiver under this subparagraph may not be granted unless the student's principal and the district's superintendent concur with the waiver request; **or**

(D) a significant and uncorrectable system error, **including one or more of the following:** [A WAIVER MAY NOT BE GRANTED UNDER THIS SUBPARAGRAPH UNLESS THE STUDENT'S]

(i) completed examination materials [FROM THE LAST ADMINISTRATION OF THE STUDENT'S YEAR OF INTENDED GRADUATION] are lost in transit between the school district and the testing vendor [AFTER THE TEST HAS BEEN ADMINISTERED; A REQUEST FOR A WAIVER UNDER THIS SUB-SUBPARAGRAPH MUST BE SUPPORTED BY DOCUMENTATION FROM THE DISTRICT THAT VERIFIES THAT THE DISTRICT MAILED THE EXAMINATION MATERIALS TO THE TESTING VENDOR, AND BY DOCUMENTATION FROM THE UNITED STATES POSTAL SERVICE, OR FROM THE CARRIER USED TO TRANSPORT THE EXAMINATION MATERIALS, VERIFYING THAT THE EXAMINATION MATERIALS ARE LOST; OR];

(ii) **a** school or district **fails** [FAILED] to administer the assessment on a scheduled administration date; [WHILE THE STUDENT WAS IN THE 12TH GRADE];

(iii) a student is unable to take an assessment or receives an invalid score because of a technology failure;

(iv) a student receives an invalid score because the assessment is improperly administered or test security requirements are violated

[WHILE THE STUDENT WAS IN THE 12TH GRADE]. (Eff. 3/4/2015, Register 213; am 12/25/2015; Register 216)

Authority: AS 14.03.075 AS 14.07.030 AS 14.07.165
AS 14.07.020 AS 14.07.060

4 AAC 06.790 is repealed and readopted to read:

4 AAC 06.790. Definitions. (a) In AS 14.03.075 and 4 AAC 06.700 - 4 AAC 06.790, "takes a college and career readiness assessment" means receives a valid score on the assessment as reported by the vendor of the assessment.

(b) In 4 AAC 06.700 - 4 AAC 06.790,

(1) "accommodation" means a change made to a testing situation to ensure that information obtained from a statewide assessment is an accurate reflection of what the assessment is intended to measure rather than a measure of a student's disability;

(2) "alternate assessment" means the assessment selected by the commissioner under 4 AAC 06.775(b);

(3) "board" means the State Board of Education of Education and Early Development;

(4) "certificate of achievement" means a certificate earned by a student who has met all local graduation requirements but does not take one of the college and career readiness assessments and is therefore ineligible for a diploma;

(5) "certificate of attendance" means a certificate earned by a student who

(A) is not able to complete the regular courses or complete substitute courses under 4 AAC 06.078;

(B) takes the alternate assessment described in 4 AAC 06.775(b); and

(C) completes at least four years of attendance in high school;

(6) "certificate of completion" means a certificate earned by a student who

(A) is not able to complete the regular courses or complete substitute courses under 4 AAC 06.078;

(B) takes the alternate assessment described in 4 AAC 06.775(b); and

(C) completes the IEP goals;

(7) "commissioner" means commissioner of education and early development;

(8) "department" means the Department of Education and Early Development;

(9) "district" means a city or borough school district, a regional educational attendance area, and a state boarding school;

(10) "IEP" means individualized education program under 4 AAC 52.140;

(11) "modification" means a change to the setting, timing, presentation, or response format of a standardized test that alters what a test measures;

(12) "*Participation Guidelines*" means the department's *Participation Guidelines for Alaska Students in State Assessments*, adopted by reference in 4 AAC 06.775;

(13) "section 504 plan" means a plan that meets the requirements of 29 U.S.C. 794 (Rehabilitation Act of 1973);

(14) "test materials" means all paper and electronic documents, support materials, software, and any related items used by students, teachers, or administrators in the administration of assessments. (Eff. 12/16/94, Register 132; am 3/3/2000, Register 153; am 12/19/2002, Register 164; am 9/17/2004, Register 171; am 8/15/2008, Register 187; am 6/30/2013, Register 206; am 12/26/2014, Register 212; am 5/15/2015, Register 214; am 12/25/2015, Register 216)

Authority: AS 14.03.075 AS 14.07.020 AS 14.07.060