

4 AAC 06.737 is amended to read:

**4 AAC 06.737. Standards-based test.** The commissioner will select a standards-based test to estimate the degree to which students have mastered the state's standards for **English language arts** [READING, WRITING], mathematics, and science. For school years 2012 - 2014, the standards-based test must test for mastery of the reading, writing, mathematics, and science standards described in the department's publication *Alaska Standards: Content and Performance Standards for Alaska Students*, as revised as of March 2006, and adopted by reference for purposes of administering a standards-based test through school year 2013 - 2014. For school years after school year 2013 - 2014, the standards-based test must test for mastery of the **English language** [ENGLISH/LANGUAGE] arts, mathematics, and science standards adopted by reference in 4 AAC 04.140(a). Except for students eligible for an alternate assessment under 4 AAC 06.775(b), each district shall administer the standards-based test in **English language arts** [READING, WRITING,] and mathematics annually to every student in grades three through ten, and each district shall administer the standards-based test in science annually to every student in grades four, eight, and ten. (Eff. 3/3/2000, Register 153; am 9/11/2004, Register 171; am 11/10/2005, Register 176; am 5/18/2006, Register 178; am 10/16/2012, Register 204; am 12/26/2014, Register 212; am 4/6/2016, Register 218)

**Authority:** AS 14.07.020 AS 14.07.060

4 AAC 06.739(a) is amended to read:

**4 AAC 06.739. Assessment achievement level [PROFICIENCY] scores.** (a) The subject matter **achievement** [PROFICIENCY] levels **of proficiency** [OF ADVANCED, PROFICIENT, BELOW PROFICIENT, OR FAR BELOW PROFICIENT] for a student enrolled

in grades 3-10 will be determined as set out in this section, based on the student's scores on the applicable state assessment described in 4 AAC 06.737.

4 AAC 06.739(b) is repealed and readopted to read:

(b) Achievement levels for English language arts and mathematics are levels one through four, with level one being the lowest and level four the highest achievement level. Students obtaining achievement levels of three or four meet standards. To obtain an achievement level of one, two, three, or four in English language arts and mathematics, a student must obtain a score as set out in the following table:

Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10
English language arts: Level 4	727 or above	729 or above	737 or above	736 or above	729 or above	736 or above	732 or above	736 or above
English language arts: Level 3	700-726	700-728	700-736	700-735	700-728	700-735	700-731	700-735
English language arts: Level 2:	686-699	686-699	680-699	667-699	664-699	662-699	668-699	666-699
English language arts: Level 1	685 or below	685 or below	679 or below	666 or below	663 or below	661 or below	667 or below	665 or below
Mathematics: Level 4	726 or above	732 or above	741 or above	731 or above	747 or above	754 or above	740 or above	737 or above
Mathematics: Level 3	700-725	700-731	700-740	700-730	700-746	700-753	700-739	700-736
Mathematics: Level 2	675-699	671-699	671-699	673-699	668-699	665-699	681-699	678-699
Mathematics: Level 1	674 or below	670 or below	670 or below	672 or below	667 or below	664 or below	680 or below	677 or below

4 AAC 06.739(c) is amended to read:

(c) **Achievement levels for science are advanced, proficient, below proficient, or far below proficient. Students obtaining achievement levels of advanced or proficient meet standards.** To obtain **an achievement** [A PROFICIENCY] level of advanced, proficient, below proficient, or far below proficient in science, a student must obtain a score as set out in the following table:

<b><u>Achievement</u></b> <b><u>[PROFICIENCY]</u></b> Level	Grade 4	Grade 8	Grade 10
Science: Advanced	357 or above	359 or above	369 or above
Science: Proficient	300-356	300-358	300-368
Science: Below Proficient	233-299	258-299	245-299
Science: Far Below Proficient	232 or below	257 or below	244 or below

(Eff. 3/16/2001, Register 157; am 11/23/2003, Register 168; am 9/4/2005, Register 175; am 5/18/2006, Register 178; am 9/3/2006, Register 179; am 9/27/2008, Register 187; am 4/6/218, Register \_\_\_)

**Authority:** AS 14.03.015                      AS 14.07.030                      AS 14.07.060  
AS 14.07.020

The introductory language of 4 AAC 06.775(b) is amended to read:

(b) The commissioner shall select an alternate assessment for use in this state, to be known as the Alaska Alternate Assessment, for assessment of students with significant cognitive disabilities who are not able to complete either regular curricular offerings or substitute courses under 4 AAC 06.078 that would lead to a diploma. A student's eligibility for the Alaska Alternate Assessment shall be established in the student's IEP in accordance with the criteria in the *Participation Guidelines for Alaska Students in State Assessments*, adopted by reference in (a) of this section. Each district shall administer the Alaska Alternate Assessment to eligible students whenever it administers the state assessments described in 4 AAC 06.710 [, EXCEPT THAT A STUDENT WILL NOT BE REQUIRED TO TAKE THE ALASKA ALTERNATE ASSESSMENT TWICE IN ONE SCHOOL YEAR]. **Achievement levels for the English language arts and mathematics Alaska Alternate Assessment are advanced, at target, approaching target, or emerging. Students obtaining an achievement level of advanced or at target meet standards. Achievement levels for the science Alaska Alternate Assessment are advanced, proficient, below proficient, or far below proficient. Students obtaining an achievement level of advanced or proficient meet standards.** To obtain **an achievement** [A PROFICIENCY] level [OF ADVANCED, PROFICIENT, BELOW PROFICIENT, OR FAR BELOW PROFICIENT] in

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4 AAC 06.775(b)(1) is repealed and readopted to read:

(1) English language arts and mathematics on the Alaska Alternate Assessment, a student must obtain a score as set out in the following table:

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

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

**Authority:** AS 14.03.075      AS 14.07.060      AS 14.07.165  
AS 14.07.020

4 AAC 06.815(b) is amended to read:

(b) Each annual measurable objective established under (a) of this section is the percentage of students enrolled for a full academic year who are expected to score **at achievement level three or four** [PROFICIENT OR HIGHER] on the state **English language arts** [READING, WRITING,] and mathematics standards-based assessments described in 4 AAC 06.737.

4 AAC 06.815(d) is amended to read:

(d) The department will give each district or school a performance score for **English language arts** [READING, WRITING,] and mathematics for the all-students group and each subgroup with five or more students. The performance score will be calculated based on the percentage of students who score **at achievement level three or four** [PROFICIENT OR HIGHER] on the state **English language arts** [READING, WRITING,] and mathematics **standards-based** [STANDARD-BASED] assessments described in 4 AAC 06.737, as compared to the total number of students tested who were enrolled for a full academic year. Not later than September 1, the department will produce a report for the state and each district and school showing the performance scores as compared to the annual measurable objective targets and an indication of whether the targets have been met.

4 AAC 06.815(h) is amended to read:

(h) In calculating whether a school or subgroup has met its annual measurable objective under this section, the department will include as **meeting standards those** [PROFICIENT OR HIGHER] students who **score** [TEST] at the **target or advanced achievement levels** [PROFICIENT LEVEL OR HIGHER] on the alternate assessment **for English language arts**

**and mathematics**, for those grades in which the alternate assessment is available under 4 AAC 06.775(b). However, for the purpose of determining whether an annual measurable objective has been met under this section, not more than one percent of the students in the district may be included as **meeting standards** [PROFICIENT OR HIGHER] under the alternate assessment. (Eff. 11/23/2003, Register 168; am 7/9/2005, Register 175; am 9/4/2005, Register 175; am 9/7/2012, Register 203; am 10/19/2013, Register 208; am 11/13/2014, Register 212; am 10/9/2015, Register 216; am 4/6/2016, Register 218)

**Authority:** AS 14.03.123                      AS 14.07.060                      AS 14.50.080  
AS 14.07.020

4 AAC 06.820(d) is amended to read:

(d) For purposes of measures of school and district accountability under 4 AAC 06.800 - 4 AAC 06.899, including measurements of participation and graduation rates, attainment of an annual measurable objective, and inclusion in the Alaska school performance index, the score of a student who participates in a state assessment and is enrolled at more than one school at a time will be included in the performance of the school at which the student is counted under 4 AAC 09.040 as more than 0.5 full-time equivalent. If the student cannot be counted under 4 AAC 09.040 as more than 0.5 full-time equivalent at any of those schools, the student's state assessment score and participation will be included in the performance of the school at which the student receives instruction in **English language arts** [READING AND WRITING].

4 AAC 06.820(f)(1) is amended to read:

(1) excuse the student from participation in the state assessments in **English language arts** [READING OR WRITING]; and

(Eff. 11/23/2003, Register 168; am 10/24/2004, Register 172; am 10/16/2013, Register 208; am 10/9/2015, Register 216; am 4/6/2016, Register 218)

**Authority:**    AS 14.03.123            AS 14.07.060            AS 14.50.080  
                         AS 14.07.020

4 AAC 06.899(24) is amended to read:

(24) "alternative school" means a school that is specifically designed to exclusively serve secondary-school students who are at high risk of failing to graduate because of credit deficiencies, below-proficient academic performance, a history of low attendance, a history or high risk of dropping out, or other barriers to graduation; **in this paragraph, "below-proficient academic performance" means obtaining an achievement level on a standards-based assessment under 4 AAC 06.739 that does not meet standards.** (Eff. 11/23/2003, Register 168; am 6/13/2004, Register 170; am 1/19/2006, Register 177; am 7/25/2007, Register 183; am 2/4/2011, Register 197; am 10/3/2011, Register 200; am 10/16/2013, Register 208; am 11/13/2014, Register 212; am 4/6/2016, Register 218)

**Authority:**    AS 14.03.123            AS 14.07.060            AS 14.50.080  
                         AS 14.07.020

4 AAC 33.421(a)(1) is amended to read:

(1) monitoring of each student by the assigned certificated teacher; the monitoring must include at least monthly teacher-student or teacher-parent contact for a student who has obtained **an achievement level that did not meet standards** [A PROFICIENCY LEVEL OF BELOW PROFICIENT OR FAR BELOW PROFICIENT] on the most recent administration of the statewide standards-based assessments under 4 AAC 06.710 - 4 AAC



06.790 and quarterly reviews of a student's work or progress in the individual learning plan; the district must maintain a record of the contact required under this paragraph;

4 AAC 33.421(b) is amended to read:

(b) In addition to meeting the requirements set out in AS 14.03.300 and this section, an individual learning plan for a student who has obtained **an achievement level that did not meet standards** [A PROFICIENCY LEVEL OF BELOW PROFICIENT OR FAR BELOW PROFICIENT] on the most recent administration of the statewide standards-based assessments under 4 AAC 06.710 - 4 AAC 06.790 must identify strategies to move the student toward **meeting standards** [PROFICIENCY] in the related subject.

(Eff. 12/25/2002, Register 164; am 8/6/2004, Register 171; am 2/20/2005, Register 173; am 9/19/2008, Register 187; am 3/6/2015, Register 213; am 4/6/2016, Register 218)

<b>Authority:</b>	AS 14.03.090	AS 14.07.030	AS 14.14.090
	AS 14.03.300	AS 14.07.050	AS 14.17.430
	AS 14.03.320	AS 14.07.060	AS 14.30.010
	AS 14.07.020	AS 14.08.111	

4 AAC 33.426(b) is amended to read:

(b) A district may waive the requirement of (a) of this section if the district determines that the student is a senior and needs less than 50 percent of the student's curriculum in core courses to qualify for high school graduation from the correspondence study program in which the student is enrolled. A district shall waive the requirement of (a) of this section if the student obtained **achievement levels that met standards** [A PROFICIENCY LEVEL OF ADVANCED

OR PROFICIENT] in **English language arts** [READING, WRITING,] and mathematics as set out in 4 AAC 06.739(b) during the previous academic year.

(Eff. 8/6/2004, Register 171; am 9/19/2008, Register 187; am 2/16/2013, Register 205; am 3/6/2015, Register 213; am 4/6/2016, Register 218)

**Authority:** AS 14.03.300            AS 14.07.060            AS 14.17.430  
AS 14.07.020            AS 14.08.101            AS 14.30.010  
AS 14.07.030

4 AAC 34.090(a)(2) is amended to read:

(2) "limited English proficient pupil" or "LEP pupil" means an individual

(A) who is between 3 and 21 years old;

(B) who is enrolled or preparing to enroll in an elementary school or secondary school;

(C) who falls into one or more of the following categories of individuals:

(i) an individual not born in the United States or whose native language is a language other than English;

(ii) an American Indian, Alaska Native, or native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; and

(D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the

(i) ability to obtain **an achievement level that meets standards** [A PROFICIENCY LEVEL OF PROFICIENT OR ADVANCED], as described in

4 AAC 06.739, on the state assessments in **English language arts** [READING AND WRITING OR IN READING AND LANGUAGE ARTS] under 4 AAC 06.737 [OR 4 AAC 06.755];

(ii) ability to successfully achieve in classrooms where the language of instruction is English; or

(iii) opportunity to participate fully in society;

(Eff. 12/29/76, Register 60; am 5/4/2000, Register 154; am 11/23/2003, Register 168; am 6/30/2013, Register 206; am 4/6/2016, Register 218)

**Authority:** AS 14.07.060 AS 14.30.410