

# Fiscal Note

State of Alaska  
2016 Legislative Session

Bill Version: SB 89  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB089CS(STA)-EED-SSA-1-19-16  
Title: PARENT RIGHTS: EDUCATION; SCHOOL  
ABSENCE  
Sponsor: DUNLEAVY  
Requester: Senate Rules

Department: Department of Education and Early Development  
Appropriation: Teaching and Learning Support  
Allocation: Student and School Achievement  
OMB Component Number: 2796

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>	<b>FY 2017</b>	<b>FY 2017</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2016) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2017) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**  
If yes, by what date are the regulations to be adopted, amended or repealed? **12/01/15**

**Why this fiscal note differs from previous version:**

Updated for 2nd Session and to accurately reflect out year costs.

Prepared By:	Dr. Susan A. McCauley, Director	Phone:	(907)465-2857
Division:	Teaching and Learning Support	Date:	01/19/2016 12:00 AM
Approved By:	Mike Hanley, Commissioner	Date:	01/19/16
Agency:	Department of Education & Early Development		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2016 LEGISLATIVE SESSION

BILL NO. SB 89

### Analysis

Section 1 amends AS 14.03, Public School Generally, by adding a new section, AS 14.03.016, A parent's right to direct the education of the parent's child. This section recognizes the authority of a parent. Additionally, this section requires districts to adopt policies and procedures that allow parents to object to and withdraw the child from a standards-based assessment or test required by the state, or from an activity, class, or program because of concerns regarding human reproduction or sexual matters or inquiries into private family affairs. In addition, districts must provide for parent notification prior to an activity, class, or program that includes content involving human reproduction or sexual matters, and must receive written permission from a parent before a child may participate. Parents must be provided the opportunity to review the content of an activity, class, performance standard or program. If a child is withdrawn from activities, classes, or programs, the absence will not be considered an unlawful absence. Fiscal impact: Unknown because states and districts are required to test 95% of all students under the Elementary and Secondary Education Act (ESEA).

AS 14.03.016 (b) does not allow a parent to categorically object or withdraw a child from activities, classes, programs, or standards-based assessments or tests required by the state; policies must require a parent to object each time.

Section 2 amends AS 14.03.083, Contracting for Services, (e) stating that a school district and an educational services organization that has a contract with a school district may not contract with an abortion services provider. There is no fiscal impact on the department.

Section 3 amends AS 14.03.110, Questionnaires and surveys administered in public schools, (a) by requiring written permission from the student's parent or legal guardian before administering a questionnaire or survey. There is no fiscal impact on the department.

Section 4 amends AS 14.03.110, Questionnaires and surveys administered in public schools, (d) by adding that parents can see the results of surveys or questionnaires. There is no fiscal impact on the department.

Section 5 amends 14.30.070(b) Physical examination required, (b) by permitting the Department of Health and Social Services to require school districts to conduct physical examinations of students and to reimburse districts for the costs of the examinations.

Section 6 amends AS 14.30 by adding a new section, AS 14.30.075 Physical examinations for teachers permitting school districts to require physical examinations of teachers as a condition of employment, but not permitting districts to pay for the costs of the physical examinations.

Section 7 amends AS 14.30.360, Curriculum, by adding a new subsection (c) which restricts school districts from permitting an abortion services provider or an employee or volunteer of an abortion services provider to offer, sponsor, furnish course materials, or provide instruction relating to human sexuality or sexually transmitted diseases.

Section 8 amends 14.30.370 Evaluation by removing reference to AS 14.30.120 Certificate of physical examination which is repealed in section 10.

Section 9 amends 47.05.310 by adding a new subsection (j) that allows an individual who possesses a valid teacher certificate and applies to work at a child care facility or residential child care facility to request that criminal justice information and national criminal history records on file with the Department of Education and Early Development be sent to the Department of Health and Social Services to satisfy fingerprinting and background check requirements.

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**Analysis Continued**

Section 10 repeals 14.30.070(a) which requires physical examinations for students upon entering public school; and 14.30.120 which requires a certificate of a physical examination provided by a school district to be given to a child's parents.