

HOUSE BILL NO. 163

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE WILSON

Introduced: 3/23/15
Referred: Education

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to school fundraisers; relating to the duties of the Department of**
2 **Health and Social Services; and providing for an effective date."**

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

4 * **Section 1.** AS 14.07.020(a) is amended to read:

5 (a) The department shall

6 (1) exercise general supervision over the public schools of the state
7 except the University of Alaska;

8 (2) study the conditions and needs of the public schools of the state,
9 adopt or recommend plans, administer and evaluate grants to improve school
10 performance awarded under AS 14.03.125, and adopt regulations for the improvement
11 of the public schools;

12 (3) provide advisory and consultative services to all public school
13 governing bodies and personnel;

14 (4) prescribe by regulation a minimum course of study for the public

1 schools; the regulations must provide that, if a course in American Sign Language is
2 given, the course shall be given credit as a course in a foreign language;

3 (5) establish, in coordination with the Department of Health and Social
4 Services, a program for the continuing education of children who are held in detention
5 facilities in the state during the period of detention;

6 (6) accredit those public schools that meet accreditation standards
7 prescribed by regulation by the department; these regulations shall be adopted by the
8 department and presented to the legislature during the first 10 days of any regular
9 session, and become effective 45 days after presentation or at the end of the session,
10 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
11 the members of each house;

12 (7) prescribe by regulation, after consultation with the state fire
13 marshal and the state sanitarian, standards that will ensure [ASSURE] healthful and
14 safe conditions in the public and private schools of the state, including a requirement
15 of physical examinations and immunizations in pre-elementary schools; the standards
16 for private schools may not be more stringent than those for public schools;

17 (8) exercise general supervision over pre-elementary schools that
18 receive direct state or federal funding;

19 (9) exercise general supervision over elementary and secondary
20 correspondence study programs offered by municipal school districts or regional
21 educational attendance areas; the department may also offer and make available to any
22 Alaskan through a centralized office a correspondence study program;

23 (10) accredit private schools that request accreditation and that meet
24 accreditation standards prescribed by regulation by the department; nothing in this
25 paragraph authorizes the department to require religious or other private schools to be
26 licensed;

27 (11) review plans for construction of new public elementary and
28 secondary schools and for additions to and major rehabilitation of existing public
29 elementary and secondary schools and, in accordance with regulations adopted by the
30 department, determine and approve the extent of eligibility for state aid of a school
31 construction or major maintenance project; for the purposes of this paragraph, "plans"

1 include educational specifications, schematic designs, projected energy consumption
2 and costs, and final contract documents;

3 (12) provide educational opportunities in the areas of vocational
4 education and training, and basic education to individuals over 16 years of age who
5 are no longer attending school;

6 (13) administer the grants awarded under AS 14.11;

7 (14) establish, in coordination with the Department of Public Safety, a
8 school bus driver training course;

9 (15) require the reporting of information relating to school disciplinary
10 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
11 behavior;

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

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

17 (B) an end date for departmental intervention, as described in
18 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
19 consecutive years of improvement consisting of not less than two percent
20 increases in student proficiency on standards-based assessments in language
21 arts and mathematics, as provided in AS 14.03.123(f)(2)(A); and

22 (C) a process for districts to petition the department for
23 continuing or discontinuing the department's intervention;

24 (17) notify the legislative committees having jurisdiction over
25 education before intervening in a school district under AS 14.07.030(14) or redirecting
26 public school funding under AS 14.07.030(15); [.]

27 (18) **adopt regulations authorizing schools to approve fundraisers**
28 **involving the sale of foods that do not meet the food nutrition standards under 42**
29 **U.S.C. 1779.** [REPEALED]

30 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).