

Dear Senator Micciche:

This is in response the letter from the Kenai Peninsula Borough School District (KPBSD) dated March 8, 2016. Unfortunately, the KPBSD is looking at an old version of HB 102 not SSSB 103 which is currently before the Senate Judiciary Committee.

The following is our response:

1. The bill will have **no impact** on the KPBSD because there are no Residential Psychiatric Treatment Facilities (RPTC) within the district.
2. **The current versions of both HB 102 and SB 103 create a 3-year pilot project which sunsets in July 2020.**

Here is the response to each bullet point contained in the letter:

- SSSB 103 prescribes a negotiated reimbursement rate per line 21, page 4. An earlier version of HB 102 called for a reimbursement formula which has now been removed from the bill.
- SSSB 103 requires that a proposed contract with a district include 21 strict educational and accountability standards similar to public schools. See Sec 14.30.800 (a) (1) through (21). These standards were inserted in the bill per the suggestion of DEED.
- See answer to the bullet point above and note the contract has to include “assurances that the center will follow procedures established by the Department to comply with federal law, including 20 U.S.C. 1400 – 1482 (Individuals with Disabilities Education Act). See page 3, line 31 and page 4 line 1 and 2.
- Coordination with the home district is required to be in a written plan. See page 4, line 10-12. This is one of the most important sections of the bill because without coordination of classes and transcripts children will be far behind their peers upon returning to the home district.
- The contract and the reimbursement is subject to review and approval by the Commissioner of Education and the State Board if the RPTC and local district are unable to agree. SSSB 103 funding is part of the BSA but portions of the funding will be paid to RPTC for students confined to the facility for mental health treatment. There is no added uncertainty of funding. See section (c) – (g) on page 4 line 23 through line13 on page 5 and section 14.30.810 on page 5.
- The RPTC must be licensed in the state of Alaska and hire Certified Alaska teachers. See page 2, line 24 and page 3 line 26. No out of state schools can qualify.

The funding concern mentioned in the final paragraph of the letter is misplaced. Student/patients are currently being educated at the expense of the district in which the RPTC is located. SSSB 103 simply provides that a portion of the funds be used to reimburse the RPTC for students the district no longer

has to educate due to the contracts with the RPTC. There is no reduction in funding to the local district from state or federal sources. A fair reimbursement rate will be negotiated with the district or provided by the Commissioner or state Board of Education.

I hope this clears up any confusion about the scope of SSSB 103. It is narrow in scope because it deals only with children confined to an RPTC for treatment under medical orders, there are no RPTC in the KPBSD and it is a pilot project which sunsets in 3 years.

Please let me know if you have further questions.

Sincerely,

*Evelyn Alsup*

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