

SENATE BILL NO. 292

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced: 3/20/00

Referred: State Affairs, Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public school student immunizations."**

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

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

4 (a) The department shall

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

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

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

13 (4) prescribe by regulation a minimum course of study for the public
14 schools; the regulations must provide that if a course in American Sign Language is
15 given, the course shall be given credit as a course in a foreign language;

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

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

10 (7) prescribe by regulation, after consultation with the state fire marshal
11 and the state sanitarian, standards in addition to the requirements of AS 18.15.145 that
12 will assure healthful and safe conditions in the public and private schools of the state
13 including a requirement of physical examinations and immunizations in pre-elementary
14 schools; **a regulation adopted under this paragraph may not require a child to**
15 **receive an immunization unless the commissioner of the Department of Health**
16 **and Social Services certifies that there is no risk of harm to an individual child**
17 **from the vaccine or if, in the opinion of a physician licensed in this state, the child**
18 **should not receive the immunization;** the standards for private schools may not be
19 more stringent than those for public schools;

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

22 (9) provide accredited elementary and secondary correspondence study
23 programs available to any Alaskan through a centralized office of correspondence
24 study;

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

29 (11) review plans for construction of new public elementary and
30 secondary schools and for additions to and major rehabilitation of existing public
31 elementary and secondary schools and, in accordance with regulations adopted by the

1 department, determine and approve the extent of eligibility for state aid of a school
 2 construction or major maintenance project; for the purposes of this paragraph, "plans"
 3 include educational specifications, schematic designs, and final contract documents;

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

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

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

10 [(15) REPEALED.]

11 * **Sec. 2.** AS 14.30.125 is amended to read:

12 **Sec. 14.30.125. Immunization.** If, in the judgment of the commissioner of
 13 health and social services, it is necessary for the welfare of the children or the general
 14 public in an area **and the commissioner certifies that there is no risk of harm to**
 15 **an individual child from the vaccine,** the governing body of the school district shall
 16 require the children attending school in that area to be immunized against the diseases
 17 the commissioner of health and social services may specify. **This section does not**
 18 **require a child to receive an immunization if, in the opinion of a physician**
 19 **licensed in this state, that child should not receive the immunization.**