

HOUSE BILL NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES CRAWFORD, Lynn, Gara

Introduced: 1/10/05

Referred: House Special Committee on Education, Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to testing public and private school students for abnormal spinal**
2 **curvature."**

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
11 improvement 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 in addition to the requirements of
14 AS 18.15.145 that will assure healthful and safe conditions in the public and private
15 schools of the state including a requirement of physical examinations and
16 immunizations in pre-elementary schools; the standards for private schools may not be
17 more stringent than those for public schools;

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

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

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

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

1 construction or major maintenance project; for the purposes of this paragraph, "plans"
2 include educational specifications, schematic designs, 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 a program to detect abnormal spinal curvature in**
13 **students; a person who provides screening services must be appropriately**
14 **licensed as a health care provider or must have completed a training program for**
15 **screening abnormal spinal curvature approved by the department.**

16 * **Sec. 2.** AS 14.07.030 is amended by adding a new paragraph to read:

17 (14) train a person to administer or approve training programs for the
18 spinal screening procedure required under AS 14.07.020(a)(16).

19 * **Sec. 3.** AS 14.30 is amended by adding a new section to read:

20 **Sec. 14.30.075. Screening program for abnormal spinal curvature.** (a) A
21 student attending public or private school shall undergo screening for abnormal spinal
22 curvature during grades 6 and 10 as required by the board. A parent or guardian may
23 substitute professional examination for the screening required under this subsection.

24 (b) A student is exempt from screening required under (a) of this section if
25 screening conflicts with the tenets and practices of a recognized church or religious
26 denomination of which the student is an adherent or a member. To qualify for an
27 exemption, the student's parent or guardian shall submit an affidavit stating the
28 objections to screening to the student's principal on or before the day of the screening
29 procedure.

30 (c) The principal of each school shall ensure that each student admitted to the
31 school complies with the screening requirements set by the board or submits an

1 affidavit of exemption.

2 (d) If the screening performed under this section indicates that a student may
3 have abnormal spinal curvature, the individual performing the screening shall
4 complete a report on a form prescribed by the department. The principal of the school
5 shall retain one copy of the report and shall mail one copy to the parent or guardian of
6 the student screened.

7 (e) The Department of Health and Social Services shall adopt regulations for
8 mandatory spinal screening of students in grades six and 10 attending a public or
9 private school. A regulation adopted under this subsection may not require an
10 expenditure by a governing body, except for an incidental expense required for
11 certification training for nonhealth practitioners or for notice required under (d) of this
12 section.