

SENATE BILL NO. 14

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATORS DAVIS, Ellis, Elton

Introduced: 1/16/07

Referred: Senate Special Committee on Education, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act raising the compulsory school attendance age; relating to the crime of
2 contributing to the delinquency of a minor; relating to duties of the Department of
3 Education and Early Development; relating to truancy; and relating to employment of a
4 minor."

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

6 * **Section 1.** AS 11.51.130(a) is amended to read:

7 (a) A person commits the crime of contributing to the delinquency of a minor
8 if, being 19 years of age or older or being under 19 years of age and having the
9 disabilities of minority removed for general purposes under AS 09.55.590, the person
10 aids, induces, causes, or encourages a child

11 (1) under 18 years of age to do any act prohibited by state law unless
12 the child's disabilities of minority have been removed for general purposes under
13 AS 09.55.590;

14 (2) under 18 years of age or allows a child under 18 years of age to

1 enter or remain in the immediate physical presence of the unlawful manufacture, use,
 2 display, or delivery of a controlled substance knowing that the manufacture, use,
 3 display, or delivery is occurring, unless the child's disabilities of minority have been
 4 removed for general purposes under AS 09.55.590;

5 (3) under 18 [16] years of age to be repeatedly absent from school,
 6 without just cause; or

7 (4) under 18 years of age to be absent from the custody of a parent,
 8 guardian, or custodian without the permission of the parent, guardian, or custodian or
 9 without the knowledge of the parent, guardian, or custodian, unless the child's
 10 disabilities of minority have been removed for general purposes under AS 09.55.590
 11 or the person has immunity under AS 47.10.350 or 47.10.398(a); it is an affirmative
 12 defense to a prosecution under this paragraph that, at the time of the alleged offense,
 13 the defendant

14 (A) reasonably believed that the child was in danger of physical
 15 injury or in need of temporary shelter; and

16 (B) within 12 hours after taking the actions comprising the
 17 alleged offense, notified a peace officer, a law enforcement agency, or the
 18 Department of Health and Social Services of the name of the child and the
 19 child's location.

20 * **Sec. 2.** AS 14.07.020(a) is amended to read:

21 (a) The department shall

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

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

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

30 (4) prescribe by regulation a minimum course of study for the public
 31 schools; the regulations must provide that, if a course in American Sign Language is

1 given, the course shall be given credit as a course in a foreign language;

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

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

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

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

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

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

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

1 (12) provide educational opportunities in the areas of vocational
2 education and training, and basic education to individuals over 17 [16] years of age
3 who are no longer attending school;

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

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

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

10 * **Sec. 3.** AS 14.30.010(a) is amended to read:

11 (a) Every child who is [BETWEEN] seven years of age or older and under
12 18 [16] years of age shall attend school at the public school in the district in which the
13 child resides during each school term. Every parent, guardian, or other person having
14 the responsibility for or control of a child who is [BETWEEN] seven years of age or
15 older and under 18 [16] years of age shall maintain the child in attendance at a public
16 school in the district in which the child resides during the entire school term, except as
17 provided in (b) of this section.

18 * **Sec. 4.** AS 23.10.340(a) is amended to read:

19 (a) A minor under 18 [16] years of age may not be employed for more than a
20 combined total of nine hours school attendance and employment in one day. If
21 employed, the minor's work may be performed only between 5 a.m. and 9 p.m.
22 Employment outside school hours may not exceed 23 hours in one week, domestic
23 work and baby-sitting excepted.

24 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the catch
27 line of AS 23.10.340 from "Children under 16" to "Children under 18."