

**ALASKA STATE LEGISLATURE**  
**SENATE EDUCATION STANDING COMMITTEE**

February 25, 2013  
8:03 a.m.

**MEMBERS PRESENT**

Senator Mike Dunleavy, Vice Chair  
Senator Bert Stedman  
Senator Charlie Huggins

**MEMBERS ABSENT**

Senator Gary Stevens, Chair  
Senator Berta Gardner

**OTHER LEGISLATORS PRESENT**

Senator Fred Dyson

**COMMITTEE CALENDAR**

SENATE BILL NO. 41

"An Act relating to student participation in interscholastic activities in religious and other private schools; and providing for an effective date."

- HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 41

SHORT TITLE: SCHOOL SPORTS/INTERSCHOLASTIC ACTIVITIES

SPONSOR(S): SENATOR(S) DYSON

01/30/13	(S)	READ THE FIRST TIME - REFERRALS
01/30/13	(S)	EDC
02/15/13	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/15/13	(S)	EDC
02/25/13	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

SENATOR FRED DYSON  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 41.

CHUCK KOPP, Staff  
Senator Fred Dyson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Introduced SB 41 on behalf of the sponsor.

JOSHUA BANKS, Staff  
Senator Fred Dyson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for SB 41.

GARY MATTHEWS, Executive Director  
Alaska School Activities Association  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 41.

NATE DAVIS, Superintendent  
Grace Christian School  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 41.

SUZANNE LUIKEN, representing herself  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 41

#### **ACTION NARRATIVE**

[8:03:42 AM](#)

**VICE-CHAIR MIKE DUNLEAVY** called the Senate Education Standing Committee meeting to order at 8:03 a.m. Present at the call to order were Senators Stedman, Huggins, and Vice-Chair Dunleavy.

#### **SB 41-SCHOOL SPORTS/INTERSCHOLASTIC ACTIVITIES**

[8:03:53 AM](#)

**VICE-CHAIR DUNLEAVY** announced that the first order of business would be SSSB 41.

**SENATOR FRED DYSON**, sponsor of SB 41, explained that the interscholastic activities in Alaska are controlled by a board. Last year Senator Meyer sponsored a bill that improved an ambiguity in law and SB 41 makes one correction to that legislation.

CHUCK KOPP, Staff, Senator Fred Dyson, related that in 1997 the Alaska Legislature passed HB 158 which allowed for school children enrolled in correspondence and home school programs to also enroll part time in school districts to attend classes. In 2012, the legislature passed SB 119, which allowed home school children to participate in public school sports and classes. There are currently 32 state-recognized correspondence programs in Alaska.

MR. KOPP explained that recently it came to the attention of private school parents that home school children also desired to partner with private schools in Alaska School Activities Association (ASAA) programs. It appeared that the words "private school" were not included in SB 119 and would prevent that partnering. He said that ASSA agreed that a statutory change was needed for a partnership between home schooled children and non-public schools to occur.

He noted that SB 41 is similar to SB 119 in that it is permissive; it does not require the partnership, but simply allows for it.

[8:07:48 AM](#)

MR. KOPP explained that a proposed sponsor substitute came about as a result of further conversation with ASAA executive director, Gary Matthews. He said the word "entirely" in the original bill [SB 199], referring to alternative education programs being required to be located entirely in the state, was problematic because many of the correspondence programs are internet based. Based on that information, the word "entirely" was struck from the original bill [SB 119], which is under AS 14.30.365 - interscholastic activities. In a new section, which controls private and denominational schools, "entirely" is omitted.

[8:09:35 AM](#)

JOSHUA BANKS, Staff, Senator Fred Dyson, presented the sectional for SB 41:

Section 1

Sec. 14.30.365(a)

Strikes the word "entirely" so that alternative education programs that receive supplemental instruction from outside of the state will not be disqualified from interscholastic activities.

Section 2

Sec. 14.30.365(c)

Provides the definition for "located in the state" as an alternative education program that is accessed by a student located in the state and that provides for all instructional hours to take place at a site in the state.

Section 3

Sec. 14.45.150(a)

Provides that full-time students enrolled in grades 9 - 12 in an alternative education program located entirely in Alaska that does not offer interscholastic activities is eligible to participate in any interscholastic activities program available in a non-public school regulated under Alaska Statute, Title 14, Chapter 45 - Private and Denominational Schools.

Further provides that the student must be otherwise eligible to attend the school were the student not enrolled in an alternative education program; that the student requests to participate in interscholastic activities at the school, and the administrator of the school approves the request.

Sec. 14.45.150(b)

Provides that the student is eligible to participate in interscholastic activities if the student is eligible under requirements established by the school and the statewide interscholastic activities governing body; delivers to the school providing the interscholastic activities program required documentation (academic transcripts, proof of full-time enrollment, and medical and disciplinary records, if applicable); and claims the same school for all interscholastic activities during a school year.

Sec. 14.45.150(c)

Provides definitions for "alternative education program", "district", "full-time student", and "interscholastic activities".

Section 4

States that this act will be effective starting on July 1, 2013.

[8:14:16 AM](#)

VICE-CHAIR DUNLEAVY opened public testimony.

[8:14:40 AM](#)

GARY MATTHEWS, Executive Director, Alaska School Activities Association, testified in support of SB 41. He voiced appreciation for Senator Dyson's work to amend the first part of SB 119. He said the new section is acceptable to ASAA's board and to the private school community.

[8:16:17 AM](#)

NATE DAVIS, Superintendent, Grace Christian School, testified in support of SB 41. He stated that they believe in fair and equitable practices for both public and private schools. He opined that it is imperative that each school is allowed to govern itself and to decide whether it will participate in a program in any given year. A private school should also be able to set parameters regarding admission standards, eligibility standards, the numbers and ratios of home school participants, and the financial cost of participation. He stated a belief that a private school or public school should not use a home school student for the purposes of recruitment.

[8:19:35 AM](#)

SUZANNE LUIKEN, representing herself, testified in support of SB 41. She spoke as a home school parent and voiced appreciation for SB 41.

VICE-CHAIR DUNLEAVY closed public testimony and held SB 41 in committee.

[8:21:15 AM](#)

There being no further business to come before the Senate Education Committee, Vice-Chair Dunleavy adjourned the meeting at 8:21 a.m.