

SENATE BILL NO. 266

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE EDUCATION COMMITTEE

Introduced: 4/26/24

Referred: Education

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to standards-based assessments; relating to correspondence study**
2 **programs; relating to student fund accounts for correspondence study programs; and**
3 **providing for an effective date."**

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

5 * **Section 1.** AS 14.03.016(a) is amended to read:

6 (a) A local school board shall, in consultation with parents, teachers, and
7 school administrators, adopt policies to promote the involvement of parents in the
8 school district's education program. The policies must include procedures

9 (1) [RECOGNIZING THE AUTHORITY OF A PARENT AND
10 ALLOWING A PARENT TO OBJECT TO AND WITHDRAW THE CHILD FROM
11 A STANDARDS-BASED ASSESSMENT OR TEST REQUIRED BY THE STATE;

12 (2)] recognizing the authority of a parent and allowing a parent to
13 object to and withdraw the child from an activity, class, or program;

14 (2) [(3)] providing for parent notification not less than two weeks

before any activity, class, or program that includes content involving human reproduction or sexual matters is provided to a child;

(3) [(4)] recognizing the authority of a parent and allowing a parent to withdraw the child from an activity, class, program, or standards-based assessment or test required by the state for a religious holiday, as defined by the parent;

(4) [(5)] providing a parent with an opportunity to review the content of an activity, class, performance standard, or program;

(5) [(6)] ensuring that, when a child is absent from an activity, class, or program [, OR STANDARDS-BASED ASSESSMENT OR TEST] required by the state under this section, the absence is not considered an unlawful absence under AS 14.30.020 if the child's parent withdrew the child from the activity, class, or program [, OR STANDARDS-BASED ASSESSMENT OR TEST] or gave permission for the child's absence.

* **Sec. 2.** AS 14.03.300 is amended by adding a new subsection to read:

(c) The department or a district that provides a correspondence study program shall submit an annual report to the department that includes

(1) the number of students enrolled in the program;

(2) the demographic information of the students enrolled in the program;

(3) an accounting of funds disbursed from student fund accounts under AS 14.03.310;

(4) assessment and proficiency scores of the students enrolled in the program; and

(5) administrative costs of the program.

* **Sec. 3.** AS 14.03.310 is repealed and reenacted to read:

Sec. 14.03.310. Student fund accounts. (a) Except as provided in (e) of this section, the department or a district that provides a correspondence study program may provide a student fund account to a parent or guardian of a student enrolled in the program for the purpose of meeting instructional expenses for the student enrolled in the program as provided in this section.

(b) A student fund account may not be used by the district or the parent or

guardian of a student enrolled in the correspondence study program to supplant district funds or obligations for individualized education program services.

(c) The board shall adopt regulations requiring the department or a district that provides a correspondence study program to approve expenditures from a student fund account. The regulations must

(1) allow the department or a district to require prior authorization of the purchase of items identified in regulation; and

(2) require that textbooks, services, and other curriculum materials

(A) be approved by the department or school district that provides the correspondence study program;

(B) be appropriate for the student;

(C) comply with state standards;

(D) comply with AS 14.03.090 and AS 14.18.060 and (e) - (g) of this section.

(d) The department or a district that provides a student fund account shall

(1) annually return the unexpended balance of a student fund account to the budget of the department or district;

(2) immediately return the unexpended balance of a student fund account provided to a student to the budget of the department or district when the student is no longer enrolled in the correspondence study program;

(3) maintain a record of approved expenditures from student fund accounts; and

(4) implement a routine monitoring of audits and expenditures.

(e) A student fund account may not be used to pay for

(1) services provided to a student by a family member; in this paragraph, "family member" means the student's spouse, guardian, parent, stepparent, sibling, stepsibling, grandparent, stepgrandparent, child, uncle, or aunt;

(2) services or materials provided by a private or religious educational institution;

(3) family travel, including transportation, food, lodging, or expenses during the family travel, or any travel out of state, unless the department, school

board, or superintendent of the district approves the expenses incurred in the out-of-state travel associated with direct instructional activities; in this paragraph, "family travel" does not include travel in which a student is accompanied by the student's family for assessments or other required activities initiated by the department or district;

(4) annual passes or family memberships to a sports or recreational facility; however, an annual pass or membership for a student may be purchased for entry into a sports or recreational facility in which the student is provided lessons under the student's individual learning plan if the cost of the pass or membership is prorated to include only the cost of the student's instructional time;

(5) fees that allow entrance to a facility in which no instruction directly connected to a student's individual learning plan is given;

(6) religious, partisan, sectarian, or denominational textbooks or other curriculum materials;

(7) clothing, uniforms, physical education equipment, or personal items;

(8) pets and other animals;

(9) furniture;

(10) taxes, testing other than educational assessments required by the department or district, or parking fees;

(11) entertainment;

(12) permanent items that adhere to or enhance the value of a nonschool facility; or

(13) items that exceed the needs of the student's individual learning plan under AS 14.03.300 as determined by the chief school administrator.

(f) A statewide correspondence study program or a parent or guardian of a student enrolled in the program may use a student fund account to contract with a private individual to provide tutoring in fine arts, music, or physical education if the tutoring is part of the student's individual learning plan under AS 14.03.300. A certificated teacher who is employed by the correspondence study program and who is qualified to teach the subject or grade level has the primary responsibility to plan,

1 instruct, and evaluate the student's learning of the subject. Tutoring paid for under this
 2 subsection may not be provided by a private or religious educational institution.

3 (g) Textbooks and other curriculum materials purchased with student fund
 4 account funds are property of the department or district. A parent or guardian of a
 5 student enrolled in the correspondence study program shall return materials that are
 6 not consumables to the district when the student exits the program for any reason.

7 (h) Any unexpended balances in student fund accounts shall be included in the
 8 calculation of the unreserved portion of a district's year-end fund balance in its school
 9 operating fund under AS 14.17.505.

10 * **Sec. 4.** AS 14.07.168 is amended to read:

11 **Sec. 14.07.168. Report to the legislature.** Not later than the 30th legislative
 12 day of each regular session of the legislature, the board shall prepare and present in
 13 person to the legislative committees having jurisdiction over education an annual
 14 report that describes the efforts of the board to develop, maintain, and continuously
 15 improve a comprehensive quality public education system, as provided for under the
 16 bylaws of the board. The report must include

17 (1) a summary of the resolves and rationales provided in support of
 18 policy decisions made under AS 14.03.015;

19 (2) program and curriculum changes made, discussed, or
 20 recommended in meetings held under AS 14.07.125;

21 (3) additional information relevant to efforts made to improve and
 22 maintain the public education system;

23 (4) a summary of implementation and utilization of the consortium
 24 established under AS 14.30.800, including a review of consortium effectiveness and
 25 the participation rates of districts, teachers, and students;

26 **(5) the information reported to the department under**
 27 **AS 14.03.300(c).**

28 * **Sec. 5.** AS 14.07.168, as amended by sec. 23, ch. 40, SLA 2022, is amended to read:

29 **Sec. 14.07.168. Report to the legislature.** Not later than the 30th legislative
 30 day of each regular session of the legislature, the board shall prepare and present in
 31 person to the legislative committees having jurisdiction over education an annual

1 report that describes the efforts of the board to develop, maintain, and continuously
 2 improve a comprehensive quality public education system, as provided for under the
 3 bylaws of the board. The report must include

4 (1) a summary of the resolves and rationales provided in support of
 5 policy decisions made under AS 14.03.015;

6 (2) program and curriculum changes made, discussed, or
 7 recommended in meetings held under AS 14.07.125;

8 (3) additional information relevant to efforts made to improve and
 9 maintain the public education system;

10 **(4) the information reported to the department under**
 11 **AS 14.03.300(c).**

12 * **Sec. 6.** AS 14.03.300(b) is repealed.

13 * **Sec. 7.** Section 5 of this Act takes effect on the effective date of sec. 23, ch. 40, SLA
 14 2022.

15 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect immediately under
 16 AS 01.10.070(c).