

1 IN THE SENATE

BY SENATORS RYAN, COOPER AND MOODY

2 SENATE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to provide special education for
7 exceptional children in Alaska; and providing
8 for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 Section 1. PURPOSE. It is the purpose of this Act to provide
11 competent education services for the exceptional children in Alaska
12 between and including the ages of five (5) and eighteen (18) for
18 whom the regular school facilities are inadequate or not available.

14 Sec. 2. DEFINITIONS. In interpreting and carrying out the
15 provisions of this Act, the words "exceptional children" wherever
16 used, will be construed to mean physically handicapped children
17 and mentally retarded children; the words "physically handicapped
18 children" whenever used, will be construed to include any child of
19 educable mind whose body functions or members are so impaired that
20 he cannot be safely or adequately educated in the regular classes
21 of the public schools, without the provision of special services;
22 and the words "mentally retarded children" wherever used, will be
23 construed to include any child whose mental or emotional condition
24 is such that he cannot be adequately educated in the regular classes
25 of the public schools, without the provision of special services.
26 The term "special services" may be interpreted to mean transporta-
27 tion; special teaching in the public school curriculum; corrective
28 teaching, such as lip reading, speech correction and hearing
29 therapy, sight conservation, and corrective health habits; and

1 the provision of special seats, books and teaching supplies, and
2 equipment required for the instruction of exceptional children.
3 It shall also be interpreted to mean education and training for
4 children who cannot utilize regular class room instruction. The
5 evaluation of the child's mental and physical status shall be made
6 in accordance with standards established by the Alaska Department
7 of Health and Welfare. The standards shall include provision for
8 re-evaluation of the child in special classes at regular intervals.
9 The standards shall also make provision for boarding and foster
10 care for a child who must attend classes away from his community.

11 Sec. 3. ELIGIBILITY. The School Board of any school district
12 may establish and maintain special classes for five (5) or more
13 exceptional children who are residents of such district and/or
14 such exceptional children who are residents of other areas, which
15 cannot meet the requirements for establishing and maintaining
16 special classes. In any school district where the parents of five
17 (5) or more of any type of exceptional children, or types which
18 may be taught together, petition the Board of Education of that
19 district for a special class, it shall be the duty of the school
20 authorities to request the State Department of Education and the
21 State Department of Health and Welfare to cooperate in the estab-
22 lishment of such class or classes under rules and regulations
23 established for this purpose by the State Department of Education
24 and the State Department of Health and Welfare; provided also, that
25 two (2) or more adjacent school districts may join together and
26 contract to establish a special class or classes. In such a case
27 the various districts are to be paid the cost of educating the
28 children in the special class or classes over and above the average
29 per capita cost of educating normal children in the respective

1 higher institution of learning approved by the State Board of
2 Education, if there is one, otherwise approval must be by the
3 Commissioner of Education, and such additional requirements as may
4 be prescribed by said Board or Commissioner.

5 Sec. 12. SUBSTITUTES. Nothing in Sec. 9 of this Act shall
6 be deemed to prohibit the employment, as a substitute teacher of
7 each such special day class for not more than twenty (20) school
8 days in any school year, of a person holding some other valid
9 credential authorizing substitute teaching.

10 Sec. 13. APPROPRIATIONS: PURPOSES. The appropriations made
11 under the authority of the provisions of this Act are to be used
12 to pay school districts, establishing and maintaining special
13 classes, the excess cost of instructing exceptional children,
14 which cost is over and above the average per capita cost of educa-
15 ting normal children in the respective school districts. This
16 aggregate excess cost shall be allocated for payment of teachers'
17 salaries, including corrective teaching, such as lip reading,
18 speech and hearing therapy, sight conservation, and corrective
19 health habits; necessary schoolroom equipment, and transportation.
20 Such excess cost shall not exceed 150% for the mentally handicapped
21 and 200% for the physically handicapped, over and above the average
22 per capita cost of educating normal children in the respective
23 school districts.

24 Sec. 14. NON-RESIDENT APPORTIONMENT. If a child attends a
25 class for exceptional children in a school district other than
26 that of his residence, the School Board of the district of his
27 residence shall pay to the school district maintaining the class
28 which he attends, the state and district per capita apportionment
29 received by the district of his residence. If the per capita

