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IN THE HOUSE

BY RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 262

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act regarding special education for exceptional children in Alaska; amending Ch. 120, SLA 1959."

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

Section 1. Sec. 3, Ch. 120, SLA 1959 is amended to read as follows:

Sec. 3. ELIGIBILITY. The School Board of any school district or administrator of a state school may establish and maintain special classes for five (5) or more exceptional children who are residents of such district and/or such exceptional children who are residents of other areas, which cannot meet the requirements for establishing and maintaining special classes. In any school district where the parents of five (5) or more of any single type of exceptional children, or types which may be taught together, petition the Board of Education of that district or administrator of a state school for a special class, it shall be the duty of the school authorities to request the State Department of Education and the State Department of Health and Welfare to cooperate in the establishment of such class or classes under rules and regulations established for this purpose by the State Department of Education and the State Department of Health and Welfare; provided also, that two (2) or more adjacent school districts may join together and contract to

1 establish a special class or classes. In such case the
2 various districts are to be reimbursed 100 per cent of the
3 salary of the teacher of the special education classes
4 provided for in this Act. For purposes of reimbursement, a
5 class is considered to have 15 students or less. If there
6 are 16 students in the class, the State Department of Educa-
7 tion shall reimburse for two teachers. The reimbursible
8 allowance for teaching supplies is 300% of the amount allowed
9 for supplies for a normal child. [IN SUCH A CASE THE VARIOUS
10 DISTRICTS ARE TO BE PAID THE COST OF EDUCATING THE CHILDREN
11 IN THE SPECIAL CLASS OR CLASSES OVER AND ABOVE THE AVERAGE
12 PER CAPITA COST OF EDUCATING NORMAL CHILDREN IN THE RESPECTIVE
13 SCHOOL DISTRICTS NOT TO EXCEED 150% FOR THE MENTALLY RETARDED
14 CHILDREN AND 200% FOR THE PHYSICALLY HANDICAPPED.] In other
15 areas where there is not sufficient number for the organiza-
16 tion of a special class or classes, exceptional children may
17 be entered in special classes in any other district; and all
18 per capita apportionment paid to such areas for each such
19 school child shall be transferred to the school district that
20 provides the facilities for their education by the proper
21 authorities.

22 Sec. 2. Sec. 11, Ch. 120, SLA 1959 is repealed and re-
23 enacted to read as follows:

24 Sec. 11. PSYCHOLOGIST QUALIFICATIONS. The standards
25 for a psychologist shall be at least the minimum standards
26 set out in the state classification plan for a psychologist,
27 and such additional requirements as may be prescribed by the
28 Commissioner or Board of Education.

29 Sec. 3. Sec. 13, Ch. 120, SLA 1959 is amended to read

1 as follows:

2 Sec. 13. APPROPRIATIONS: PURPOSES. The appropriations
3 made under the authority of the provisions of this Act
4 are to be used to pay school districts [,] establishing and
5 maintaining special classes 100 percent of the cost of the
6 teachers' salaries on the state salary schedule, as well
7 as an allowance for teaching supplies of 300% of the amount
8 allowed for supplies for a normal child. [, THE EXCESS COST
9 OF INSTRUCTING EXCEPTIONAL CHILDREN, WHICH COST IS OVER AND
10 ABOVE THE AVERAGE PER CAPITA COST OF EDUCATING NORMAL
11 CHILDREN IN THE RESPECTIVE SCHOOL DISTRICTS. THIS AGGREGATE
12 EXCESS COST SHALL BE ALLOCATED FOR PAYMENT OF TEACHERS'
13 SALARIES, INCLUDING CORRECTIVE TEACHING, SUCH AS LIP READING,
14 SPEECH AND HEARING THERAPY, SIGHT CONSERVATION, AND CORRECTIVE
15 HEALTH HABITS; NECESSARY SCHOOLROOM EQUIPMENT, AND TRANSPORTA-
16 TION. SUCH EXCESS COST SHALL NOT EXCEED 150% FOR THE MENTALLY
17 HANDICAPPED AND 200% FOR THE PHYSICALLY HANDICAPPED, OVER
18 AND ABOVE THE AVERAGE PER CAPITA COST OF EDUCATING NORMAL
19 CHILDREN IN THE RESPECTIVE SCHOOL DISTRICTS.]

20 Sec. 4. Sec. 17, Ch. 120, SLA 1959 is repealed and re-
21 enacted to read as follows:

22 Sec. 17. APPLICATION FOR ENROLLMENT. The parents or
23 guardians of any exceptional child residing in such public
24 school system or systems or the school administrator, shall
25 initiate application upon prescribed form for the enrollment
26 of such child, through the system to the state Department
27 of Education; provided, however, that in the event the
28 administrator initiates the placement, it shall be with the
29 full knowledge and consent of the parent or guardian. Final

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certification of a student to the program is the responsibility of the Commissioner of Education. Such child shall thereupon undergo physical and psychological examination by accredited personnel for the purpose of determining whether or not the child is capable of receiving benefit from participation in such a special education program, and if determined eligible and capable of receiving the indicated benefits, and upon approval of application by the Commissioner of Education, shall thereupon be recommended for enrollment.

Sec. 5. Sec. 5, Ch. 120, SLA 1959 is repealed.

Sec. 6. Wherever the words "district" or "school district" or "districts" or "school districts" appear in Ch. 120, SLA 1959 as amended by this Act, strike them and substitute "public school system" or "public school systems" respectively.