

1 IN THE HOUSE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 HOUSE BILL NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act revising AS 14, Education."

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

8 * Section 1. AS 14.05.060 is amended to read:

9 Sec. 14.05.060. ✓ ELEMENTARY, JUNIOR HIGH AND HIGH

10 SCHOOLS. (a) An elementary school is a school offering
11 work from kindergarten to the eighth grade inclusive. A
12 kindergarten is not a required department [AN ESSENTIAL PART]
13 of an elementary school.

14 (b) A high school is a school offering work in grades
15 nine to 14 inclusive. The 13th and 14th grades shall be
16 restricted to courses in vocational education [TRAINING AND
17 MAY BE OFFERED ONLY IN CITY SCHOOLS AND IN SCHOOLS IN INCOR-
18 PORATED SCHOOL DISTRICTS].

19 (c) Junior high schools offering work in grades seven
20 to nine or seven to 10 inclusive, and senior high schools
21 offering work in grades 10 to 12 or 11 to 14 inclusive, may
22 be organized by a district [CITY] school board.

23 (d) This section does not prevent a high school from
24 issuing a diploma after completion of the 12th grade.

25 * Sec. 2. AS 14.05.090 ✓ is amended to read:

26 Sec. 14.05.090. SCHOOL AGE. No child may be admitted
27 to the first grade unless he is six years old on or before
28 November 1 in the year he is to enter school. Residents
29 over 20 years old may be admitted to the public schools when

1 in the judgment of the district board they will not be inimi-
2 cal to the pupils of school age. [A CHILD WHO IS SIX YEARS
3 OF AGE OR WHO WILL BECOME SIX YEARS OF AGE BEFORE NOVEMBER 2
4 FOLLOWING THE BEGINNING OF THE SCHOOL YEAR IS A CHILD OF
5 SCHOOL AGE.] A child under school age may not enter any
6 department of a public school, except a kindergarten. In
7 order to enter a public school kindergarten a child shall be
8 five years old [OF AGE] before November 2 following the be-
9 ginning of the school year.

10 * Sec. 3. AS 14.05.150 is amended to read:

11 Sec. 14.05.150. PREPARATION OF COURSES ON ALCOHOLISM
12 AND NARCOTICS. The department shall prepare guidelines and
13 resource units on alcoholism and narcotics for elementary
14 and secondary schools [A SUITABLE, RELIABLE AND UNBIASED
15 COURSE OF STUDY ON THE SUBJECT OF ALCOHOLISM AND NARCOTICS
16 FOR THE GRADES IN WHICH HEALTH AND HYGIENE ARE USUALLY TAUGHT
17 IN THE ELEMENTARY SCHOOLS AND FOR THE SCIENCE COURSES IN HIGH
18 SCHOOLS].

19 * Sec. 4. AS 14.05.160 [✓] is amended to read:

20 Sec. 14.05.160. USE OF ALCOHOLISM AND NARCOTICS COURSES
21 BY TEACHERS. Public schools shall incorporate materials on
22 alcoholism and narcotics in appropriate units of study or
23 subjects at the elementary and secondary levels [EVERY
24 TEACHER TEACHING IN THE PUBLIC SCHOOLS OF THE STATE SHALL USE
25 THE COURSE OF STUDY ON ALCOHOLISM AND NARCOTICS PREPARED BY
26 THE DEPARTMENT, AND OTHER MATERIAL WHICH THE DEPARTMENT MAY
27 SUBMIT ON THE SUBJECT]. [✓]

28 * Sec. 5. AS 14.10.095(a) [✓] is amended to read:

29 (a) The department may (1) order, in advance of the

1 fiscal or school year for which required, necessary supplies
2 and equipment for the state-operated [RURAL] schools of
3 Alaska under its administration; (2) obligate the funds re-
4 quired for these purchases in advance of the fiscal year for
5 which appropriated or authorized.

6 * Sec. 6. AS 14.10.110 is amended to read:

7 Sec. 14.10.110. ✓ ADOPTION AND CHANGES IN TEXTBOOKS.

8 Textbook adoptions shall be made for a period of four years.
9 No more than one-third of the list of books may be changed
10 at any one time. However, textbooks that are out of print
11 or otherwise not available may be changed without regard to
12 [AFFECTING] the [ONE-THIRD] restriction.

13 * Sec. 7. AS 14.10.140(8) ✓ is amended to read:

14 (8) cooperate with the commissioner of health and
15 welfare to secure sanitary conditions in the public schools
16 [IN CONJUNCTION WITH THE COMMISSIONER OF HEALTH AND WELFARE
17 PRESCRIBE RULES AND REGULATIONS NECESSARY TO SECURE SANITARY
18 CONDITIONS IN THE PUBLIC SCHOOLS];

19 * Sec. 8. AS 14.10.140 ✓ is amended by adding a new subsec. to read:

20 (14) approve or accredit public, private, and
21 denominational schools when such schools meet standards
22 established by the department.

23 * Sec. 9. AS 14.10.150(6) ✓ is amended to read:

24 (6) construct, purchase, build, or rent the
25 necessary school buildings [SCHOOLHOUSES] or classrooms
26 [SCHOOLROOMS] and maintain and equip them;

27 * Sec. 10. AS 14.10.150(10) ✓ is amended to read:

28 (10) prescribe the qualifications and
29 classification of teachers; appoint, discharge, and prescribe

1 the duties of teachers and other persons employed in the
2 state-operated [RURAL] schools and fix their compensation;

3 * Sec. 11. AS 14.10.150(9) is amended to read:

4 (9) classify items of expenses of school districts
5 [TEACHERS AND OFFICERS AND ITEMS OF EXPENSE OF SCHOOLS IN
6 INCORPORATED CITIES AND INCORPORATED SCHOOL DISTRICTS AND
7 FIX THE MAXIMUM SALARIES AND MAXIMUM ITEMS OF EXPENSE THAT
8 WILL BE ALLOWED IN CALCULATING REFUNDS];

9 * Sec. 12. AS 14.10.150(11) is amended to read:

10 (11) do and perform every other thing necessary
11 to secure the efficient and economical administration of the
12 state-operated [RURAL PUBLIC] schools, including the estab-
13 lishment of special schools and correspondence schools;

14 * Sec. 13. AS 14.10.170 is repealed and re-enacted to read:

15 Sec. 13. AS 14.10.170. EXECUTIVE OFFICER. The commis-
16 sioner of education is the principal executive officer of the
17 board and ex officio secretary. He is not a member of the
18 board but may cast a tie-breaking vote. When the board sits
19 as the Board for Vocational Rehabilitation, the director of
20 vocational rehabilitation shall be the ex officio secretary
21 and shall have the right to cast a tie-breaking vote.

22 * Sec. 14. AS 14.10.270 is amended to read:

23 Sec. 14.10.270. RESTRICTIONS ON MEMBERSHIP OF SCHOOL
24 BOARDS. It is unlawful for persons having the relationship
25 of husband and wife, father and son or daughter, or mother
26 and son or daughter to hold membership on the same school
27 board. Board members, or members of their immediate fami-
28 lies, may not be employed by the board except upon approval
29 of the commissioner.

1 * Sec. 15. AS 14.10.290(a) is amended to read:

2 (a) No state funds may be transmitted to the treasurer
3 of a school district or school board until the treasurer has
4 executed his bond in the form required by law [, THE BOND HAS
5 BEEN APPROVED BY THE ATTORNEY GENERAL] and filed with the
6 department [AND A COPY OF IT HAS BEEN CERTIFIED BY THE COM-
7 MISSIONER AND FILED WITH THE COMMISSIONER OF ADMINISTRATION].

8 * Sec. 16. AS 14.10.300 is amended to read:

9 Sec. 14.10.300. FILING OF BUDGETS AND ESTIMATES.

10 Budgets and estimates of cost for the school year made by
11 school boards under the requirements of law or required by
12 rules approved by the board shall be filed with the depart-
13 ment [AND SUBMITTED IN DUPLICATE. AFTER APPROVAL OF THE
14 BUDGET OR ESTIMATE, AN APPROVED COPY SHALL BE FILED BY THE
15 DEPARTMENT WITH THE COMMISSIONER OF ADMINISTRATION].

16 * Sec. 17. AS 14.10.330 is amended to read:

17 Sec. 14.10.330. DECLARING A SCHOOL BOARD VACANCY. When
18 a member of a school board of a school district [AN INCORPOR-
19 ATED, INDEPENDENT, OR CITY SCHOOL DISTRICT] having been
20 notified of the regular meeting of the board, is absent from
21 three consecutive regular meetings without having been granted
22 a prior excuse by the president of the board, the other mem-
23 bers of the board may declare the position vacant and shall
24 notify the ex-member by registered mail. The vacancy shall
25 be filled as provided by law.

26 * Sec. 18. AS 14.10 is amended by adding a new section to read:

27 Sec. 14.10.335. ANNUAL AUDIT. (a) The school board in
28 each school district shall have made, each year before
29 October 1, an audit of all school accounts for the school

1 year ending the preceding June 30. A certified copy of the
2 audit shall be filed with the commissioner of education. The
3 audit shall conform in format to any requirements established
4 by the commissioner. The commissioner shall withhold all
5 payments of state funds after November 15 to a school district
6 which fails to file a certified copy of the audit with the
7 department.

8 (b) The commissioner may conduct a reaudit or an audit
9 check in any school district if in his judgment it is neces-
10 sary to substantiate the reported expenditures.

11 * Sec. 19. AS 14.10.37⁶(a) is amended to read:

12 (a) There is established an advisory school board in
13 each community served by a state-operated [RURAL] school
14 [OPERATED BY THE DEPARTMENT]. If the state-operated school
15 has an average daily enrollment of less than 251 pupils, the
16 advisory board consists of three members. If the average
17 daily enrollment is more than 250 pupils, the advisory board
18 consists of five members.

19 * Sec. 20. AS 14.15.010¹ is repealed and re-enacted to read:

20 Sec. 14.15.010. DIVISIONS. The divisions of the state
21 public school system are as follows:

22 (1) each first, second, and third class city in
23 the unorganized borough is a city school district;

24 (2) each organized borough is a borough school
25 district;

26 (3) schools outside organized boroughs and outside
27 first, second, and third class cities are state-operated
28 schools.

29 * Sec. 21. AS 14.15.230¹ is amended to read:

1 Sec. 14.15.230. SCHOOL DISTRICTS [CITY SCHOOLS] TO BE
2 ESTABLISHED AND MAINTAINED. School districts [CITY SCHOOLS]
3 shall be established and maintained as prescribed by law.

4 * Sec. 22. AS 14.15.240 is amended to read:

5 Sec. 14.15.240. ✓ MAINTENANCE OF CITY [CITY AS] SCHOOL
6 DISTRICT. The city [EACH CITY CONSTITUTES A SCHOOL DISTRICT,
7 AND THE] council in each city school district shall provide
8 the city school district with suitable school buildings,
9 [SCHOOLHOUSES] and the necessary funds to maintain public
10 schools.

11 * Sec. 23. AS 14.15.250 is amended to read:

12 Sec. 14.15.250. ✓ SCHOOL BOARD. School districts [CITY
13 SCHOOLS] when established are under the supervision and con-
14 trol of a school board of five members.

15 * Sec. 24. AS 14.15.260 ✓ is repealed and re-enacted to read:

16 Sec. 14.15.260. ELECTION OF SCHOOL BOARD MEMBERS. The
17 term of office for members of the school board is three
18 years and until a successor is elected and qualified. How-
19 ever, the members of the school board first elected hold of-
20 fice for the following terms: two hold office for one year,
21 two hold office for two years, and one holds office for three
22 years, and until their successors are elected and qualified.

23 * Sec. 25. AS 14.15 is amended by adding a new section to read:

24 Sec. 14.15.265. ✓ SCHOOL BOARD IN DISTRICT WITH MORE
25 THAN 5,000 PUPILS. (a) Each school district with an average
26 daily membership exceeding 5,000 pupils has an elected school
27 board of seven members elected as provided in (b) of this
28 section. The board has the same powers and duties as a board
29 of five members.

1 (b) The term of office of members of a seven-man board
2 is three years. However, the terms of the first seven mem-
3 bers are as follows: immediately after the board members are
4 elected and certified they shall assemble and two members
5 shall draw by lot number one; two members shall draw by lot
6 number two; and three members shall draw by lot number three.
7 Members drawing number one hold office until the next regular
8 school election at which time their successors shall be
9 elected; members drawing number two hold office until the
10 second, regular school election following at which time their
11 successors shall be elected; and members drawing number three
12 hold office until the third regular school election following
13 at which time their successors shall be elected.

14 * Sec. 26. AS 14.15.290 is amended to read:

15 Sec. 14.15.290. VACANCY. A vacancy in the school board
16 caused by death, resignation, removal or other cause may be
17 filled by appointment by the city council or borough assembly
18 with the consent of the remaining members of the board. If
19 the remaining members of the board do not consent to have the
20 vacancy filled by the council or assembly, the vacancy shall
21 be filled by special election called by the council or
22 assembly upon at least 10 days' notice. When a vacancy is
23 filled by appointment by the [CITY] council or assembly the
24 appointee serves until a successor is elected at the next
25 general election.

26 * Sec. 27. AS 14.15.300 is amended to read:

27 Sec. 14.15.300. EXPENDITURE AND CUSTODY OF FUNDS. Funds
28 [MONEY AVAILABLE] for school purposes, except for the con-
29 struction and equipment of school buildings [SCHOOLHOUSES] and

1 the acquisition of school sites, shall be expended under the
2 direction of the school board. The treasurer of the board is
3 the custodian of school funds [THE MONEY]. Before entering
4 upon the duties of the office, the treasurer shall obtain a
5 [GIVE HIS] bond with sufficient sureties, in an amount equal
6 to any state payments up to \$50,000 [TO THE CITY IN THE SUM
7 THE COUNCIL DIRECTS AND SUBJECT TO ITS APPROVAL, BUT NOT LESS
8 THAN TWICE THE AMOUNT THAT MAY COME INTO HIS HANDS AT ANY ONE
9 TIME,]. The bond shall be conditioned that he will honestly
10 and faithfully disburse and account for all funds [MONEY]
11 that may come into his hands as treasurer. The bond shall
12 be filed with the clerk of the board [MUNICIPAL CLERK]. The
13 treasurer shall not make payments [PAY MONEY] from the
14 treasury except for the purpose authorized by law and on
15 warrants signed by the clerk and countersigned by an author-
16 ized member of the board [THE PRESIDENT OF THE BOARD].

17 * Sec. 28. AS 14.15.320[✓] is amended to read:

18 Sec. 14.15.320. REPORTS TO DEPARTMENT. The clerk of
19 the [SCHOOL] board shall make such reports to the department
20 as required by the commissioner of education [IT REQUIRES].

21 * Sec. 29. AS 14.15.330[✓] is repealed and re-enacted to read:

22 Sec. 14.15.330. SUBMISSION OF BUDGET. The school board
23 shall submit an annual budget to the city council or borough
24 assembly by April 1 for the following school year. The city
25 council or borough assembly shall determine the amount of
26 money to be made available for school purposes and shall
27 furnish the school board a statement of the sum. The state-
28 ment shall be transmitted to the school board within 30 days
29 after receipt of the budget.

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* Sec. 30. AS 14.15.340 is amended to read:

Sec. 14.15.340. TAX LEVY. The amount of money to be made available by a borough or city [THE MUNICIPALITY] for school purposes shall be determined by the borough assembly or the city council by resolution before the tax levy is made. The amount may be levied as a separate tax or as a part of the borough or city [MUNICIPAL] tax.

* Sec. 31. AS 14.15.350 is amended to read:

Sec. 14.15.350. REPORT OF EXPENDITURES TO COUNCIL OR ASSEMBLY. The school board shall, when required by the city [COUNCIL] or borough assembly, but not more often than once each month, transmit to the [CITY] council or assembly a detailed report and statement of money expended and for what and to whom the money was paid.

* Sec. 32. AS 14.17.050(f) is amended to read:

(f) If a school district has an average daily membership of 600 or more students, it is entitled to teacher units, as an allowance for superintendents and assistants, in addition to those otherwise allowed in (c) - (h) of this section. The district is entitled to the number of teacher units which corresponds to the total elementary and secondary average daily membership in the following schedule:

Total Average Daily Membership	Allowable No. of Teacher Units
601-3000	1
3001-5999	2
<u>6000 and over</u> [OVER 6000]	3

* Sec. 33. AS 14.17.050(h) is amended to read:

(h) This schedule of allowable number of teacher units

1 is only for use in determining allotments under the public
2 school foundation program, and does not prohibit a district
3 from hiring a greater number of teachers to be paid from its
4 own funds. If a district operates any school with less than
5 301 pupils in a remote and isolated area, the commissioner of
6 education [STATE BOARD OF EDUCATION] may allow the local
7 school board to treat [ORDER] that school [TO BE TREATED] as
8 a separate district for the purpose of determining the allow-
9 able number of teacher units the district is entitled to for
10 that school under (d) of this section.

11 * Sec. 34. AS 14.17.070(b) is amended to read:

12 (b) In this section, "attendance center" means each
13 elementary or secondary school which functions as a distinct
14 administrative unit and is allocated a principal by the
15 district school board. The commissioner of education [STATE
16 BOARD OF EDUCATION] may designate as attendance centers, in
17 addition to those which qualify under this definition, those
18 schools which he [IT] determines should be considered as
19 attendance centers because of remote location or other
20 special circumstances.

21 * Sec. 35. AS 14.17.190(b) is amended to read:

22 (b) Each district shall maintain financial records of
23 the receipt and disbursement of public school foundation
24 money and money acquired from local effort. The records must
25 be in the form prescribed by the department [WHICH THE STATE
26 BOARD OF EDUCATION PRESCRIBES BY REGULATION] and are subject
27 to audit by the commissioner [OR THE STATE BOARD OF EDUCATION
28 AT ANY TIME].

29 * Sec. 36. AS 14.17.250(3) is amended to read:

1 (3) "district" means any [INDEPENDENT, INCORPORAT-
2 ED] city or borough school district, but does not include
3 state-operated [STATE RURAL] schools;

4 * Sec. 37. AS 14.20.310(2)(C) is amended to read:

5 (C) distribution of benefits of sabbatical
6 leave for teachers [UNDER THE STATE], and

7 * Sec. 38. AS 14.25.220(4) is amended to read:

8 (4) "employer" means a borough school district, a
9 city school district, [INCORPORATED SCHOOL DISTRICT, INDE-
10 PENDENT SCHOOL DISTRICT,] the Board of Regents of the Uni-
11 versity of Alaska, or the Department of Education;

12 * Sec. 39. AS 14.25.220(5) is amended to read:

13 (5) "membership service" means service as a
14 teacher in a public school within the Territory or State of
15 Alaska or both under the supervision and control of the Ter-
16 ritorial Board of Education or the Department of Education,
17 the school board of any borough school district, [INCORPOR-
18 ATED] city [, INCORPORATED] school district [, INDEPENDENT
19 SCHOOL DISTRICT], or the Board of Regents of the University
20 of Alaska;

21 * Sec. 40. AS 14.30.010 is amended to read:

22 Sec. 14.30.010. WHEN ATTENDANCE COMPULSORY. Every
23 parent, guardian or other person in the state having the
24 responsibility for [POSSESSION] or control of a child between
25 seven and 16 years of age shall have the child attend public
26 school of the district in which the child resides, for the
27 time during which the school is in session, or attend a
28 private school for the same time, unless the physical or
29 mental condition of the child makes attendance inexpedient or

1 impracticable, or the child has been excused for other cause
2 by an excuse in writing signed by a majority of the school
3 board, until the child has [EITHER] reached the age of 16
4 years [OR COMPLETED THE EIGHTH GRADE]. However, children re-
5 siding more than two miles from a school are not required to
6 attend school unless transportation is furnished. A child
7 who has completed the highest grade maintained in the school
8 district having jurisdiction over the child shall be excused
9 from attendance. Proof of absence from a public or private
10 school is prima facie evidence of a violation of this section.
11 A school board excusing a child from attendance at school
12 shall forward to the Department of Education a duplicate copy
13 of the written excuse. The department shall furnish forms
14 for use in excusing a child from attendance at school.

15 * Sec. 41. AS 14.30.020 is amended to read:

16 Sec. 14.30.020. VIOLATION FOR PERMITTING CHILD TO BE
17 ABSENT FROM SCHOOL. Every parent, guardian or other person
18 in the state having responsibility for [POSSESSION] or control
19 of a child described in sec. 10 of this chapter, who, without
20 legal excuse, permits the child to be absent from school is
21 guilty of a misdemeanor and, upon conviction, is punishable
22 by a fine of not less than \$5 nor more than \$20, plus the
23 costs of prosecution, and shall be imprisoned until the fine
24 and costs are paid. A person convicted shall be imprisoned
25 one day for every \$2 of the fine and costs. Each absence of
26 five days by a child constitutes a separate offense. The
27 court may suspend sentence, stay or postpone the enforcement
28 of execution, or release from custody any person found guilty
29 upon such conditions as seem to be in the best interests of

1 the child and fair under the circumstances. However, no
2 sentence may be suspended or final judgment or execution
3 stayed for a period to exceed the end of the school year dur-
4 ing which a person is convicted. If at any time prior there-
5 to it appears to the satisfaction of the court that the
6 person has complied faithfully with the conditions of the
7 suspended sentence, judgment or execution, or is, for any
8 cause, in the opinion of the court, entitled to be released,
9 the court may suspend the sentence indefinitely, in which
10 case the person shall be released and discharged. In any
11 event, at the expiration of the school year, the person shall
12 be released and discharged from the imposition of the fine.

13 * Sec. 42. AS 14.30.040 is repealed and re-enacted to read:

14 Sec. 14.30.040. EXTENSION OF PROVISIONS TO PUPILS IN
15 ELEMENTARY AND SECONDARY SCHOOLS OPERATED BY THE FEDERAL
16 GOVERNMENT (BUREAU OF INDIAN AFFAIRS). (a) Every parent,
17 guardian, or other person having responsibility for, or con-
18 trol of a child of school age who attends, or who is eligible
19 to attend a federal school within two miles of their resi-
20 dence, and who is between the ages of seven and 16 years,
21 who, without legal excuse, permits a child to be absent for
22 a total of five days on which sessions are held during any
23 one school quarter, is subject to the provisions of sec. 40
24 of this chapter.

25 (b) A report of an unexcused absence shall be made to
26 the district magistrate by the school's administrative offi-
27 cer, or any teacher, or any person directly interested in the
28 education of children.

29 (c) "Residence" as used in this section means any

1 habitation occupied by the parent, guardian, or other person
2 having responsibility for, or control of, the child for a
3 period of at least 30 days.

4 (d) This section does not apply to a child who is be-
5 ing taught by a tutor, or who attends a school other than one
6 operated by the federal government, or whose physical or
7 mental condition makes attendance inexpedient or impractical,
8 or if the child is excused for other cause by a written
9 excuse signed by the school's chief administrator.

10 * Sec. 43. AS 14.30.050 is repealed and re-enacted to read:

11 Sec. 14.30.050. ✓ TRUANT OFFICERS. The Bureau of Indian
12 Affairs, for schools operated by the Bureau of Indian Affairs,
13 may appoint an officer, at no expense to the state, to enforce
14 the provisions of sec. 40 of this chapter. The officer may
15 arrest and bring before any district magistrate, the parent,
16 guardian, or other person having control of a child upon a
17 warrant issued by the district magistrate upon a complaint
18 sworn out by him.

19 * Sec. 44. AS 14.30 is amended by adding a new section to
20 read:

21 Sec. 14.30.065. ✓ BOARD MAY EXCLUDE. A board may exclude
22 from school attendance a child convicted of a felony if the
23 board determines that the attendance of the child will be
24 inimical to the welfare or education of other pupils.

25 * Sec. 45. AS 14.30.150 is amended to read:

26 Sec. 14.30.150. ✓ SCOPE AND APPLICABILITY OF SECS. 60 -
27 170 OF THIS CHAPTER. (a) Secs. 60 - 170 of this chapter
28 apply to school areas outside borough school districts and
29 city school districts [INCORPORATED CITIES, INDEPENDENT

1 SCHOOL DISTRICTS AND INCORPORATED SCHOOL DISTRICTS] and to
2 parents, guardians, children, physicians, nurses, and health
3 officers in those areas.

4 (b) In school areas outside organized borough and city
5 school districts [INCORPORATED CITIES] the commissioner of
6 education shall carry out the provisions of secs. 60 - 170 of
7 this chapter, and [IN THOSE AREAS] he has the same authority
8 and power conveyed to district [SCHOOL] boards within their
9 respective districts. The commissioner may delegate these
10 powers to district school boards or officials [THE SCHOOL
11 BOARDS OR SCHOOL OFFICERS] in these areas and pay out of
12 state school funds as operating expense fees, as provided in
13 those sections, for examination and treatment of children.

14 * Sec. 46. AS 14.30.330 is amended to read:

15 Sec. 14.30.330. ✓ APPLICATION FOR ENROLLMENT. The parent
16 or guardian of an exceptional child [RESIDING IN THE PUBLIC
17 SCHOOL SYSTEM,] or the school administrator, shall initiate
18 application upon prescribed forms for the enrollment of the
19 child, through the system to the state Department of Educa-
20 tion. If the administrator initiates the placement, it shall
21 be with the full knowledge and consent of the parent or
22 guardian. Final certification of a student to the program is
23 the responsibility of the commissioner of education. The
24 child shall undergo physical and psychological examination
25 by qualified [ACCREDITED] personnel for the purpose of
26 determining whether or not the child is capable of receiving
27 benefit from participation in a special education program.
28 If determined eligible and capable of receiving the indicated
29 benefits, and upon approval of application by the commissioner

1 of education, the child shall be recommended for enrollment.

2 * Sec. 47. AS 14 is amended by adding a new chapter to read:

3 CHAPTER 56. THE STATE LIBRARY AND MUSEUM.

4 Sec. 14.56.010. DEPARTMENT OF EDUCATION TO GOVERN
5 LIBRARY AND MUSEUM. The Department of Education shall govern
6 and have complete charge of all of the property contained in
7 the institution known as the state library and the state
8 museum.

9 Sec. 14.56.020. POWERS OF DEPARTMENT OF EDUCATION. The
10 Department of Education shall

11 (1) stimulate and encourage citizen participation
12 in the development and improvement of library facilities;

13 (2) establish policies, plans and procedures of
14 the department, and formulate reasonable rules and orders,
15 with penalties, as may be required.

16 Sec. 14.56.030. STATE LIBRARY FUNCTIONS. The depart-
17 ment shall undertake state library functions which will
18 benefit the state and its citizens, including:

19 (1) coordinate library services of the state with
20 other educational services and agencies to increase effective-
21 ness and eliminate duplication;

22 (2) provide reference library service to state and
23 other public officials;

24 (3) provide library services and administer state
25 and other grants-in-aid to public libraries to supplement and
26 improve their services, the grants to be paid from funds
27 appropriated for that purpose, or from other funds available
28 for that purpose;

29 (4) provide library service directly to areas in

1 which there is not sufficient population or local revenue to
2 support independent library units;

3 (5) distribute financial aid to public libraries
4 for extension of library service to surrounding areas and to
5 improve inadequate local library service under rules and
6 regulations promulgated by the department;

7 (6) offer consultant service on library matters to
8 state and municipal libraries, community libraries, school
9 libraries, and libraries in unincorporated communities;

10 (7) collect, catalog and preserve a separate
11 Alaska collection consisting of books, laws, pamphlets, peri-
12 odicals, manuscripts, microreproductions, audio-visual
13 materials, etc.;

14 (8) serve as a depository for state and federal
15 publications concerning Alaska;

16 (9) acquire, catalog and maintain archives rela-
17 tive to Alaska such as the records or correspondence of any
18 public or private institution, or individual, which are
19 adjudged worthy of preservation for reference and research
20 purposes;

21 (10) prepare the budget and employ personnel;

22 (11) acquire, build, or dispose of real and
23 personal property;

24 (12) apply for, receive, and spend federal, state
25 or private funds available for these purposes.

26 Sec. 14.56.040. APPLICATION FOR GRANT-IN-AID. An asso-
27 ciation desiring to receive the benefits of secs. 20 - 60 of
28 this chapter shall file a copy of its articles of incorpora-
29 tion and bylaws with the department, and shall file an

1 annual report with the department listing the members of its
2 library board and an accurate record of money spent on the
3 purchase of books and periodicals. A copy of these records
4 shall be sent to the department at the close of each fiscal
5 year.

6 Sec. 14.56.050. PAYMENT OF GRANT-IN-AID. An associa-
7 tion that, during a fiscal year, has complied with secs. 20 -
8 60 of this chapter and the rules promulgated by the depart-
9 ment under it, is entitled to receive the authorized amount
10 of aid. Payment of the grant-in-aid is on a reimbursement
11 basis upon the presentation by the association of paid
12 invoices listing the authors and titles of books and perio-
13 dicals purchased. No payment made for the purchase of any
14 books of a religious or sectarian nature, or for other
15 property, except books and periodicals shall be counted as
16 part of the sums for which reimbursement may be claimed under
17 secs. 20 - 60 of this chapter.

18 Sec. 14.56.060. LIMITATION ON GRANT-IN-AID. The state
19 shall provide assistance to any association incorporated
20 under the laws of the state, for the purpose of maintaining
21 public libraries, to the extent of paying to the association
22 a sum equal to the sum which the association spends in pur-
23 chasing books and periodicals for public libraries in the
24 state, not exceeding \$250 in one year to each association, in
25 accordance with the rules of the department.

26 Sec. 14.56.070. DUTIES OF THE DEPARTMENT. The depart-
27 ment shall

28 (1) acquire artifacts, natural history specimens,
29 art objects, etc., that pertain to the human and natural

- 1 history of Alaska by purchase and by gift;
- 2 (2) identify, catalog, preserve, and display these
- 3 acquisitions;
- 4 (3) acquire and catalog Alaskan photographs and
- 5 maintain a card catalog of this collection;
- 6 (4) accept endowments, grants, and gifts in
- 7 accordance with established state policy;
- 8 (5) collect and maintain books, periodicals,
- 9 pamphlets, and other materials pertinent to museum adminis-
- 10 tration, techniques and collections;
- 11 (6) assist and advise in the development of local
- 12 museums;
- 13 (7) collect and keep current information concern-
- 14 ing museum activities throughout the state;
- 15 (8) coordinate the museum activities of the state
- 16 with those of other agencies in order to increase effective-
- 17 ness and to avoid duplication;
- 18 (9) keep the museum open at reasonable hours for
- 19 the convenience of visitors.

20 * Sec. 48. The following laws are repealed: AS 14.05.030;
21 AS 14.05.070; AS 14.05.080; AS 14.05.130; AS 14.05.140;
22 AS 14.10.140(7) (9), (10); AS 14.10.150(5); AS 14.15.020
23 14.15.220; AS 14.15.380 - 14.15.590; AS 14.15.750 - 14.15.960;
24 AS 14.17.230; AS 14.17.240; AS 14.20.250; AS 14.20.270;
25 AS 14.55.

26 * Sec. 49. EFFECTIVE DATE. This act takes effect July 1, 1965.

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