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by Request of Legislative Council

Offered: 3/7/66
Referred: Rules

1 IN THE HOUSE

BY HEALTH, WELFARE AND
EDUCATION COMMITTEE

2

CS FOR HOUSE BILL NO. 12

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act revising AS 14, Education; and
7 providing for an effective date."

8

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

9

* Section 1. AS 14 is amended by adding new chapters to read:

10

CHAPTER 3. PUBLIC SCHOOLS GENERALLY

11

Sec. 14.03.010. ESTABLISHMENT OF SCHOOL SYSTEM. There
12 is established in the state a system of public schools to be
13 administered and maintained as provided in this title.

14

Sec. 14.03.020. SCHOOL YEAR. The school year begins on
15 the first day of July and ends on the 30th day of June.

16

Sec. 14.03.030. SCHOOL TERM. The school term begins
17 and ends on the dates fixed by the governing body of the
18 school district. However, the term shall include not less
19 than 175 days in session.

20

Sec. 14.03.040. DAY IN SESSION. Each day within the
21 school term is a day in session except Saturdays, Sundays,
22 and days designated as holidays by or according to sec. 50
23 of this chapter. The day in session in every school shall
24 be at least four hours long, exclusive of intermissions, for
25 the first, second, and third grades and five hours, exclusive
26 of intermissions, for all other grades. The commissioner may
27 approve a shorter day in session for any grade. The period
28 of the day in session shall be devoted to the instruction of
29 pupils or to study periods for the pupils.

1 Sec. 14.03.050. SCHOOL HOLIDAYS. (a) Public schools
2 shall not be in session on school holidays which are Labor
3 Day, Thanksgiving Day, the day immediately following Thanks-
4 giving Day, Christmas Day, New Years Day, Memorial Day, and
5 the Fourth of July. If one of these holidays falls on a
6 Saturday, the Friday immediately preceding is a school holi-
7 day. If one of these holidays falls on a Sunday the Monday
8 immediately following is a school holiday. A teacher shall
9 not be required to perform employment services on these
10 holidays, nor may the salary of a teacher be diminished be-
11 cause he does not perform employment services on a school
12 holiday.

13 (b) The public schools shall be in session on all other
14 holidays falling upon school days and shall conduct appropri-
15 ate exercises in recognition of the day. However, the
16 governing body of a school district may declare a holiday.

17 Sec. 14.03.060. ELEMENTARY, JUNIOR HIGH, AND SECONDARY
18 SCHOOLS. (a) An elementary school consists of grades
19 kindergarten through grade eight or any appropriate combina-
20 tion of grades within this range.

21 (b) A secondary school consists of grades seven through
22 12 or any appropriate combination of grades within this
23 range. The establishment of one or two grades beyond the
24 12th grade is optional with the governing body of the school
25 district.

26 (c) Grades seven through eight, nine, and ten or any
27 appropriate combination of grades within this range may be
28 organized as a junior high school.

29 (d) This section does not prevent a high school from

1 issuing a diploma to a student who has completed the 12th
2 grade.

3 Sec. 14.03.070. SCHOOL AGE. A child who is six years
4 of age or who will become six years of age before November 2
5 following the beginning of the school year, and who is under
6 the age of 20 and has not completed the 12th grade, is of
7 school age.

8 Sec. 14.03.080. FREE EDUCATION. (a) A child of school
9 age is entitled to attend public school, without payment of
10 tuition, during the school term in the school district in
11 which he is a resident.

12 (b) A person over school age may be admitted to the
13 public school in the school district in which he is a resi-
14 dent at the discretion of the governing body of the school
15 district. A person over school age may be charged tuition
16 by the governing body of the school district.

17 (c) A child under school age may be admitted to the
18 public school in the school district of which he is a resi-
19 dent at the discretion of the governing body of the school
20 district and upon presentation by the child of a certified
21 statement by a licensed psychologist that the child has
22 demonstrated a mental age of not less than seven years as
23 evidenced by administration of a Wechsler Intelligence Scale
24 for Children examination or other comparable examination.

25 (d) A child who is five years of age or who will
26 become five years of age before November 2 following the
27 beginning of the school year, and who is under school age,
28 may enter a public school kindergarten.

29 (e) A child under school age shall be admitted to

1 school in the district of which he is a resident if immedi-
2 ately before he became a resident of the district, he was
3 legally enrolled in the public schools of another district or
4 state.

5 Sec. 14.03.090. SECTARIAN OR DENOMINATIONAL DOCTRINES
6 PROHIBITED. No partisan, sectarian, or denominational
7 doctrines may be advocated in a public school during the
8 hours the school is in session. No teacher or school board
9 violating this section may receive public money.

10 Sec. 14.03.100. USE OF SCHOOL FACILITIES. The
11 governing body of a school district may allow the use of
12 school facilities for any legal gatherings or assemblies.
13 The governing body shall adopt bylaws that will insure
14 reasonable and impartial use of the facilities.

15 Sec. 14.03.110. PREPARATION OF COURSE ON ALCOHOLISM
16 AND NARCOTICS. The department shall prepare guidelines and
17 resource units on alcoholism and narcotics for elementary
18 and secondary schools. The guidelines and resource units
19 are subject to the approval of the board.

20 Sec. 14.03.120. INSTRUCTION REGARDING ALCOHOLISM AND
21 NARCOTICS. Teachers in the public schools shall incorporate
22 materials on alcoholism and narcotics in appropriate units
23 of study at the elementary and secondary levels.

24 Sec. 14.03.130. DISPLAY OF FLAG. A United States flag
25 shall be displayed upon or near each principal school build-
26 ing during school hours and at other times the governing
27 body considers proper.

28 Sec. 14.03.140. EMERGENCY DRILLS. The principal or
29 other persons in charge of each public or private school or

1 educational institution shall instruct and train pupils by
2 means of drills so that in an emergency they may be able to
3 leave the school building in the shortest possible time with-
4 out confusion or panic. Drills shall be held at least once
5 each month during the school term, weather permitting.

6 CHAPTER 7. ADMINISTRATION OF PUBLIC SCHOOLS.

7 ARTICLE 1. DEPARTMENT OF EDUCATION.

8 Sec. 14.07.010. DEPARTMENT OF EDUCATION. The Depart-
9 ment of Education includes the commissioner of education, the
10 state Board of Education, and the staff necessary to carry
11 out the functions of the department.

12 Sec. 14.07.020. DUTIES OF THE DEPARTMENT. The depart-
13 ment shall

14 (1) exercise general supervision over the public
15 schools of the state except the University of Alaska;

16 (2) study the conditions and needs of the public
17 schools of the state and adopt or recommend plans for the
18 improvement of the public schools;

19 (3) provide advisory and consultative services to
20 all public school governing bodies and personnel;

21 (4) prescribe by regulation a minimum course of
22 study for the public schools;

23 (5) establish, in coordination with the Department
24 of Health and Welfare, a program for the continuing education
25 of children who are held in detention facilities in the state
26 during the period of detention;

27 (6) accredit those public, private, and denomina-
28 tional schools which meet accreditation standards prescribed
29 by regulation by the department;

1 (7) prescribe by regulation, after consultation
2 with the Department of Health and Welfare, standards that will
3 assure healthful and safe conditions in the public schools of
4 the state.

5 Sec. 14.07.030. POWERS OF THE DEPARTMENT. The depart-
6 ment may

7 (1) establish, maintain, govern and operate state-
8 operated schools;

9 (2) discontinue or combine state-operated schools;

10 (3) provide for the construction, purchase, rental,
11 maintenance, and equipment of the necessary school buildings
12 or classrooms for state-operated schools;

13 (4) pay tuition and boarding or transportation
14 costs of high school students in cases where the establishment
15 of state-operated high schools is unsound for economic or
16 educational reasons;

17 (5) enter into contractual agreements with the
18 Bureau of Indian Affairs to share boarding costs of high
19 school students;

20 (6) provide for citizenship night schools when and
21 where expedient;

22 (7) provide for the sale or other disposition of
23 abandoned or obsolete buildings and other state-owned school
24 property;

25 (8) prescribe a classification for items of ex-
26 pense of school districts;

27 (9) acquire and transfer personal property, acquire
28 real property, and transfer real property to federal agencies,
29 state agencies, or to political subdivisions;

1 (10) enter into contractual agreements with school
2 districts to provide more efficient or economical education
3 services.

4 Sec. 14.07.040. SUPPLIES AND EQUIPMENT FOR STATE-
5 OPERATED SCHOOLS. (a) The department may

6 (1) order, in advance of the school year for which
7 required, necessary supplies and equipment for the state-
8 operated schools;

9 (2) obligate the funds required for these purchases
10 in advance of the fiscal year for which appropriated or
11 authorized.

12 (b) Nothing in this section may be construed to permit
13 the department to obligate over 50 per cent of the amount
14 requested to be appropriated or authorized by the legislature.

15 Sec. 14.07.050. SELECTION, ADOPTION, AND USE OF TEXT-
16 BOOKS. (a) The department shall select and adopt uniform
17 sets of textbooks for use in all the branches of study pre-
18 sented in the elementary schools, and shall select and adopt
19 an approved list of textbooks for use in each of the subjects
20 presented in the high schools. It is unlawful for a school
21 to use textbooks other than those adopted by the department
22 except for purposes of supplementary study. However, if it
23 is impractical for a school to secure approved textbooks,
24 other textbooks may be substituted with the approval of the
25 commissioner.

26 (b) Textbook adoptions shall be made for a minimum
27 period of four years. No more than one-third of the list of
28 books may be changed at any one time. However, textbooks
29 that are out of print or otherwise not available may be

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1 changed without regard to the one-third restriction.

2 (c) The department shall forward to each school board
3 in the state a report of the textbooks adopted for use in
4 elementary and high schools, together with the names of the
5 publishers.

6 Sec. 14.07.060. PROMULGATION OF REGULATIONS. (a) The
7 department shall promulgate regulations which are necessary
8 to carry out the provisions of this title. All regulations
9 promulgated by the department shall be initiated by the
10 commissioner. However, a regulation does not become effective
11 until the procedure involved in the adoption of the regulation
12 has satisfied the requirements of the Administrative Procedure
13 Act (AS 44.62) and the adopted regulation has been approved
14 by a majority of the board. The approval may be granted by
15 mail or at a meeting of the board.

16 (b) If the board fails to approve a regulation, public
17 hearings shall be held concerning the issues in question. If,
18 after public hearings, the board and the commissioner con-
19 tinue to disagree, the issues shall be presented in writing
20 to the governor. The governor shall decide the issue. His
21 decision is final.

22 Sec. 14.07.070. WITHHOLDING STATE FUNDS. No state
23 funds may be paid to a school district or teacher who fails
24 to comply with the school laws of the state or with the
25 regulations promulgated by the department.

26 ARTICLE 2. STATE BOARD OF EDUCATION.

27 Sec. 14.07.080. CREATION AND TERM OF OFFICE. There is
28 created a state Board of Education within the department
29 consisting of six members appointed for overlapping three-

1 year terms.

2 Sec. 14.07.090. APPOINTMENT OF MEMBERS. The governor
3 shall appoint the board members without regard to political
4 affiliation, subject to confirmation by a majority of the
5 members of the legislature in joint session. In appointing
6 board members, the governor shall consider recommendations
7 made by recognized educational associations in the state.

8 Sec. 14.07.100. EXECUTIVE OFFICER. The principal
9 executive officer of the board is the commissioner when the
10 board sits as the state Board of Education or the state
11 Board for vocational education. The director of the division
12 of vocational rehabilitation is the principal executive
13 officer of the board when it sits as the Board of Vocational
14 Rehabilitation. The principal executive officer is the ex
15 officio secretary of a board and has no vote except that he
16 shall cast a tie-breaking vote when necessary.

17 ARTICLE 3. COMMISSIONER OF EDUCATION

18 Sec. 14.07.110. APPOINTMENT OF COMMISSIONER. The
19 governor shall appoint the commissioner of education from a
20 list of qualified persons nominated by the board. The
21 governor may request additional nominations. The appointment
22 is subject to confirmation by a majority of the members of
23 the legislature in joint session.

24 Sec. 14.07.120. TERM OF OFFICE AND VACANCY. (a) The
25 commissioner serves at the pleasure of the governor.

26 (b) If the office of commissioner becomes vacant, a
27 successor shall be appointed in the manner provided for the
28 regular appointment.

29 Sec. 14.07.130. REMOVAL OF COMMISSIONER. The board may

1 submit a resolution to the governor requesting him to remove
2 the commissioner. The resolution shall contain the grounds
3 for the request. The governor shall afford the commissioner
4 and the board an opportunity to be heard. If the governor
5 finds the grounds to be sufficient and true, he may remove
6 the commissioner from office.

7 Sec. 14.07.140. COMMISSIONER ADMINISTERS DEPARTMENT.
8 The commissioner shall administer the department.

9 Sec. 14.07.150. BUDGET AND FISCAL AUTHORITY. The com-
10 missioner has sole responsibility and authority for the
11 preparation and execution of a budget and for the other
12 fiscal affairs of the department.

13 Sec. 14.07.160. PRESCRIPTION OF BYLAWS. (a) The com-
14 missioner or his designee may adopt bylaws for the internal
15 management of the state-operated schools to the same extent
16 that a school board may adopt bylaws for the management of
17 the district.

18 (b) The bylaws shall be written and distributed in a
19 manner so as to be readily available to personnel of state-
20 operated schools.

21 (c) This section shall not be construed to allow the
22 use of a bylaw rather than a regulation where the subject is
23 of statewide importance or interest.

24 Sec. 14.07.170. ADDITIONAL POWERS OF COMMISSIONER. The
25 commissioner may

26 (1) appoint unpaid advisory commissions;

27 (2) require school boards or school personnel to
28 submit to the department, in the form the commissioner may
29 require, the district budget or any information or reports

1 which are reasonably necessary to assist the department in
2 carrying out its functions.

3 CHAPTER 9. TRANSPORTATION OF PUPILS.

4 Sec. 14.09.010. TRANSPORTATION OF PUPILS. (a) The
5 department may provide for the transportation of pupils who
6 reside a distance from established schools, and in order to
7 accomplish that purpose may

8 (1) require school districts to enter into con-
9 tracts with the department for the administration, super-
10 vision, operation or subcontracting of the operation of
11 transportation systems for students to and from the schools
12 within their service area;

13 (2) require all school districts, transportation
14 contractors and other recipients of state transportation
15 funds to submit to the department an annual report, which
16 includes a financial statement and other operational data
17 required by the department;

18 (3) permit school districts to (A) establish
19 supplementary systems of student transportation for students
20 ineligible to utilize transportation facilities paid for by
21 the state, (B) charge fares or fees for the supplementary
22 transportation systems, and (C) use local tax funds to pay,
23 in whole or in part, the cost of the supplementary systems.

24 (b) Each school district mentioned in (a)(1) of this
25 section is entitled to receive reimbursement from the state
26 for the operation of the transportation system on a unit
27 cost basis determined by the department.

28 CHAPTER 12. ORGANIZATION AND GOVERNMENT OF SCHOOL SYSTEM.

29 ARTICLE 1. DISTRICTS.

1 Sec. 14.12.010. DISTRICTS OF STATE PUBLIC SCHOOL
2 SYSTEM. The districts of the state public school system are
3 as follows:

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

6 (2) each organized borough is a borough school
7 district;

8 (3) the area outside organized boroughs and out-
9 side first, second, and third class cities is the state-
10 operated school district.

11 Sec. 14.12.020. SUPPORT, MANAGEMENT, AND CONTROL. (a)
12 Operation of the state-operated school district is under the
13 management and control of the department.

14 (b) Each borough or city school district shall be oper-
15 ated on a district-wide basis under the management and
16 control of a school board.

17 (c) The department shall provide the state money neces-
18 sary to maintain and operate the state-operated school
19 district. The borough assembly for a borough school district,
20 and the city council for a city school district, shall pro-
21 vide the money which must be raised from local sources to
22 maintain and operate the district.

23 ARTICLE 2. SCHOOL BOARDS.

24 Sec. 14.12.030. SCHOOL BOARDS. (a) Each borough and
25 city school district with an average daily membership of
26 5,000 or less has a school board of five members.

27 (b) Each borough and city school district with an
28 average daily membership exceeding 5,000 has a school board
29 of seven members.

1 Sec. 14.12.040. TRANSITION. The transition from a five-
2 man to a seven-man school board shall be made at the regular
3 election following, or being held within 90 days preceding,
4 the completion of the second regular school term during which
5 the district maintains an average daily membership exceeding
6 5,000. Once a district has a seven-man school board, the
7 number of members shall not be changed regardless of the
8 average daily membership.

9 Sec. 14.12.050. SCHOOL BOARD TERMS. (a) The term of
10 office of a member of a borough or city school board is five
11 years and until a successor takes office. However, the mem-
12 bers of a newly created five-man school board hold office
13 for initial terms as follows: one for a term of five years,
14 one for a term of four years, one for a term of three years,
15 one for a term of two years, and one for a term of one year,
16 the terms being assigned to the members by lot. The members
17 of a newly created seven-man school board hold office for
18 initial terms as follows: one for a term of five years, one
19 for a term of four years, two for terms of three years, one
20 for a term of two years, and two for terms of one year, the
21 terms being assigned to the members by lot.

22 (b) When a transition is made from a five-man school
23 board to a seven-man school board new members shall be
24 elected as follows: at the first regular school election
25 after the district becomes eligible for a seven-man school
26 board there shall be elected, in addition to the successor
27 or successors to be elected for a regular term, a new member
28 for an initial term of two years and until a successor takes
29 office, and a new member for an initial term of four years

1 and until a successor takes office.

2 (c) Nothing in this section prevents a school board
3 member from succeeding himself.

4 (d) The department shall prescribe by regulation the
5 method of transition from three-year terms being served on
6 the effective date of this Act to the five-year terms pre-
7 scribed by (a) of this section.

8 Sec. 14.12.060. ELECTION. (a) A regular election shall
9 be held every year on the first Tuesday of October to choose
10 school board members. The term of office begins on the first
11 Monday following certification of the results of the election.

12 (b) When, under statutes or ordinances in effect on or
13 before the effective date of this Act, a term of office of a
14 school board member expires before the first Tuesday in
15 October, the term of office is automatically extended until
16 the office is filled according to secs. 30 - 110 of this
17 chapter.

18 Sec. 14.12.070. VACANCIES. If a vacancy occurs on the
19 school board, the remaining members shall within 30 days fill
20 the vacancy. The person selected shall serve until the next
21 regular election when a successor shall be elected to serve
22 the balance of the term.

23 Sec. 14.12.080. QUALIFICATION OF MEMBERS. To be
24 eligible to be a member of a school board, a person must have
25 the same qualifications as are necessary to be a municipal
26 voter in the school district.

27 Sec. 14.12.090. OATH. School board members, before
28 taking office, shall affirm in writing that they will
29 honestly, faithfully, and impartially perform their duties.

1 The oath is filed with the secretary of the school board.

2 Sec. 14.12.100. APPLICATION. Secs. 10 - 100 of this
3 chapter apply to home rule and general law municipalities.

4 CHAPTER 14. LOCAL ADMINISTRATION OF SCHOOLS.

5 ARTICLE 1. OPERATION OF DISTRICTS.

6 Sec. 14.14.010. CUSTODY OF FUNDS. (a) The school board
7 treasurer shall have custody of, invest, and manage all school
8 district money. However, the municipality may by ordinance
9 require that all school money be deposited in a centralized
10 treasury with all other municipal money.

11 (b) The municipal executive shall have the custody of,
12 invest, and manage all money in the centralized treasury.
13 However, the assembly or the council, with the consent of the
14 school board, may by ordinance delegate to the school board
15 the responsibilities of a centralized treasury.

16 Sec. 14.14.020. BOND REQUIRED. Before the officer
17 responsible for custody of, investment, or management of
18 school district money enters upon the duties of the office,
19 the district, or the municipality if the treasury is cen-
20 tralized, shall obtain a bond with sufficient sureties in an
21 amount equal to the money that may come into the officer's
22 official custody, but not to exceed \$50,000. The bond shall
23 be conditioned on the officer's honest and faithful disburse-
24 ment and accounting of all money that may come into his
25 official custody. The bond shall be filed with the clerk of
26 the school board. This section does not apply to an officer
27 who has been bonded under AS 07.25.060.

28 Sec. 14.14.030. ACCOUNTING SYSTEM. (a) The school
29 board shall provide an accounting system for school operations.

1 However, when the school board by resolution consents, the
2 assembly or council may by ordinance provide for a centralized
3 accounting system for school and all other municipal opera-
4 tions.

5 (b) The centralized accounting system shall be under
6 the control of the municipal executive. However, the assembly
7 or council, with the consent of the school board, may by
8 ordinance delegate to the school board the responsibilities
9 of the accounting system.

10 (c) An accounting system shall be operated in accordance
11 with accepted principles of governmental accounting, and for
12 school money, in accordance with accepted principles of
13 educational accounting as the department prescribes by regu-
14 lation.

15 (d) The fiscal year for a school district begins on
16 July 1 of each year and ends at midnight on the following
17 June 30. All school district accounts shall be kept, and
18 all duties performed, with reference to the beginning and
19 ending of the fiscal year.

20 Sec. 14.14.040. SCHOOL BUDGET. The school board shall
21 submit the annual budget for the following school year to the
22 assembly or council by April 1 for approval of the total
23 amount. Within 30 days after receipt of the budget the
24 assembly or council shall determine the total amount of money
25 to be made available by the municipality for school purposes,
26 and shall furnish the school board with a statement of the
27 sum to be made available. If the assembly or council does
28 not, within 30 days, furnish the school board with a statement
29 of the sum to be made available, the amount requested in the

1 budget is automatically approved. Not later than May 31 the
2 assembly or council shall appropriate the amount from municipi-
3 pal money available for the purpose.

4 Sec. 14.14.050. ANNUAL AUDIT. (a) The school board in
5 each school district shall, before October 1 of each year,
6 provide for an audit of all school accounts for the school
7 year ending the preceding June 30. To make the audit the
8 school board shall contract with a public accountant who has
9 no personal interest, direct or indirect, in the fiscal affairs
10 of the district. One certified copy of the audit shall be
11 filed with the commissioner and one certified copy shall be
12 posted in a public place at the principal administrative
13 office of the district.

14 (b) The audit shall conform in form to requirements
15 established by the commissioner. The commissioner shall with-
16 hold all payments of state funds after November 15 to a
17 school district which fails to file a certified copy of the
18 audit with the department.

19 (c) The commissioner may provide for a reaudit or an
20 audit check in a school district if in his judgment it is
21 necessary to substantiate the reported expenditures.

22 (d) The school board shall not make the audit if an
23 audit which satisfies the requirements of this section and
24 which is filed and posted as required by this section, is
25 made according to AS 07.20.150.

26 Sec. 14.14.060. SCHOOL BUILDINGS. (a) The assembly or
27 council shall determine the location of school buildings,
28 with due consideration being given to the recommendations of
29 the school board regarding location.

1 (b) The school board is responsible for the archi-
2 tectural design of school buildings. Subject to the approval
3 of the assembly or council, the school board shall select the
4 appropriate professional personnel to develop the designs.
5 The school board shall submit a design for a school building
6 to the assembly or council for approval or disapproval. If
7 the design is disapproved, a revised plan shall be prepared
8 and presented to the assembly or council.

9 (c) The school board shall provide custodial services
10 and routine maintenance for school buildings and shall ap-
11 point, compensate, and otherwise control personnel for these
12 purposes.

13 (d) The municipal executive shall provide for all
14 major rehabilitation, construction, and major repair of
15 school buildings. The recommendations of the school board
16 shall be considered in carrying out the provisions of this
17 subsection.

18 Sec. 14.14.070. ORGANIZATION OF SCHOOL BOARD. Within
19 seven days after the certification of the results of each
20 regular school election, the school board shall meet and
21 elect one of its members as president, one as clerk, and,
22 if necessary, one as treasurer.

23 Sec. 14.14.080. DECLARING A SCHOOL BOARD VACANCY.
24 When a member of a school board has notice of and is absent
25 from three consecutive regular school board meetings and
26 is not excused by the president of the school board, the
27 other members of the school board may declare the position
28 vacant and shall notify the ex-member by registered mail.
29 The vacancy shall be filled as provided by AS 14.12.070.

1 Sec. 14.14.090. ADDITIONAL DUTIES. In addition to
2 other duties, a school board shall

3 (1) determine and disburse the total amount to be
4 made available for compensation of all school employees and
5 administrative officers;

6 (2) provide for, during the school term of each
7 year, an educational program for each school age child who is
8 a resident of the district;

9 (3) withhold the salary for the last month of
10 service of a teacher or administrator until the teacher or
11 administrator has submitted all summaries, statistics, and
12 reports which the school board may require by bylaw;

13 (4) transmit, when required by the assembly or
14 council but not more often than once a month, a summary report
15 and statement of money expended;

16 (5) keep the minutes of meetings and a record of
17 all proceedings of the school board in a pertinent form;

18 (6) keep the records and files of the school board
19 open to inspection by the public at the principal administra-
20 tive office of the district during reasonable business hours;

21 Sec. 14.14.100. BYLAWS AND ADMINISTRATIVE RULES. (a)
22 The school board policies relating to management and control
23 of the district shall be expressed in written bylaws formally
24 adopted at regular school board meetings.

25 (b) Administrative rules which do not embody school
26 district policy need not be promulgated as bylaws; however,
27 the rules shall be in written form and readily available to
28 all school personnel.

29 Sec. 14.14.110. COOPERATION WITH OTHER DISTRICTS.

1 When necessary to provide more efficient or more economical
2 educational services, a district may cooperate with other
3 districts, state-operated schools, or the Bureau of Indian
4 Affairs in providing educational services or in establishing
5 boarding and tuition arrangements, arrangements for the ex-
6 change of pupils or teachers, or other similar arrangements.
7 However, if an arrangement requires pupils to live away from
8 their usual homes, the school board shall provide classes
9 within the district for any grade represented by more than
10 three elementary pupils or five secondary pupils.

11 Sec. 14.14.120. INOPERATIVE DISTRICT. (a) When there
12 are fewer than eight children eligible to attend elementary
13 and secondary school in a district, the school board may
14 declare the district inoperative for that school year.

15 (b) During the school year in which a district is
16 inoperative, the school board shall perform those functions
17 necessary to preserve the financial integrity of the district,
18 to preserve the property and assets of the district, and to
19 otherwise insure against disruption of the continuity of the
20 district business.

21 (c) An inoperative school board shall, if practicable,
22 pay the tuition and boarding costs necessary to enable the
23 school age children within the district to attend school in
24 another district. If a child in an inoperative school district
25 is not attending school in another district, the department
26 shall provide correspondence courses and other materials and
27 charge the school board of the inoperative district an amount
28 equal to the actual cost to the department.

29 (d) The terms of office of a school board are not

1 affected by a declaration that the district is inoperative.
2 However, new board members shall not be elected during the
3 time a district is inoperative. In the event more than three
4 terms expire during the time a district is inoperative the
5 functions of the school board shall be assumed by the assembly
6 or council until the district becomes operative. When the
7 district becomes operative an expired school board term shall
8 be filled by the assembly or council until the next regular
9 school election when a school board member shall be elected
10 to serve the balance of the term.

11 Sec. 14.14.130. SUPERINTENDENT OF SCHOOLS. (a) Each
12 school board shall select and employ a qualified person as
13 the superintendent of schools for the district.

14 (b) The superintendent of schools is the chief adminis-
15 trative officer of the district and shall administer the
16 district in accordance with the policies which the school
17 board prescribes by bylaw.

18 (c) The superintendent of schools shall select, appoint,
19 and otherwise control all school employees and administrative
20 officers serving under him subject to the approval of the
21 school board.

22 Sec. 14.14.140. RESTRICTION ON EMPLOYMENT. (a) School
23 board members, or members of their immediate families, may not
24 be employed by the school board except upon approval of the
25 commissioner.

26 (b) Members of the immediate family of a superintendent
27 may not be employed by the superintendent except upon approval
28 of the commissioner.

29 Sec. 14.14.150. ASSOCIATION OF ALASKA SCHOOL BOARDS THE

1 REPRESENTATIVE AGENCY OF BOARD MEMBERS. The association of
2 Alaska School Boards is recognized as the organization and
3 representative agency of the members of the school boards of
4 the state.

5 Sec. 14.14.160. COOPERATION AND SUPPORT OF CERTAIN
6 ASSOCIATION FUNCTIONS. (a) The department and local dis-
7 tricts may cooperate with the Association of Alaska School
8 Boards in its inservice training program for school board mem-
9 bers and in encouraging and fostering cooperation among the
10 school boards affiliated with the Association of Alaska School
11 Boards.

12 (b) School districts may expend district money to carry
13 out the provisions of (a) of this section.

14 Sec. 14.14.170. ADVISORY SCHOOL BOARDS. (a) There is
15 established an advisory school board in each community served
16 by a rural school operated by the department. If the state-
17 operated school has an average daily enrollment of less than
18 251 pupils, the advisory school board consists of three mem-
19 bers. If the average daily enrollment is more than 250 pupils,
20 the advisory school board consists of five members.

21 (b) Voters qualified under sec. 180 of this chapter,
22 at an election, may create an on-base advisory school board.

23 Sec. 14.14.180. QUALIFICATIONS OF ADVISORY SCHOOL BOARD
24 MEMBERS AND VOTERS. (a) A person may vote at an election
25 for advisory school board members and may be elected to mem-
26 bership on an advisory school board who

- 27 (1) is a citizen of the United States;
28 (2) has passed his 19th birthday;
29 (3) is an inhabitant of the area served by the

1 school for at least 30 days preceding the election; and

2 (4) if the school is an on-base school, is re-
3 siding with a spouse or dependent in the area served.

4 (b) Election to an advisory school board is not an
5 election to a civil office of this state.

6 Sec. 14.14.190. TERMS OF OFFICE AND VACANCY. (a) The terms
7 of the initial members of a three-member advisory school board
8 are one, two, and three years, respectively, and each until a
9 successor takes office. Thereafter, members shall be elected
10 to terms of three years and until a successor takes office.

11 (b) Of the initial members of an advisory school board
12 which consists of five members, one member is elected for a
13 one-year term, two members for a two-year term, and two mem-
14 bers for a three-year term, and each until a successor takes
15 office. Thereafter, all members are elected to terms of
16 three years and until a successor takes office.

17 (c) If a three-member advisory school board is increased
18 to a five-member advisory school board because of increased
19 enrollment, the two additional members are elected for terms
20 of two years and three years respectively. Thereafter, all
21 members are elected to three-year terms.

22 (d) Vacancies on advisory school boards will be filled
23 by the remaining members until the next regular election. At
24 that time an election will be held for the remaining portion
25 of the term.

26 Sec. 14.14.200. DUTIES. An advisory school board shall
27 advise and assist the department through the local official
28 administering the school, and shall do so in the manner the
29 department prescribes by regulation.

1 * Sec. 2. AS 14.17.050(f) is amended to read:

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

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

15 * Sec. 3. AS 14.17.050(h) is amended to read:

16 (h) This schedule of allowable number of teacher units
17 is only for use in determining allotments under the public
18 school foundation program, and does not prohibit a district
19 from hiring a greater number of teachers to be paid from its
20 own funds. If a district operates any school with less than
21 301 pupils in a remote and isolated area, the commissioner
22 [STATE BOARD OF EDUCATION] may authorize the school board to
23 treat [ORDER] that school [TO BE TREATED] as a separate
24 district for the purpose of determining the allowable number
25 of teacher units the district is entitled to for that school
26 under (d) of this section.

27 * Sec. 4. AS 14.17.070(b) is amended to read:

28 (b) In this section, "attendance center" means each
29 elementary or secondary school which functions as a distinct

1 administrative unit and is allocated a principal by the
2 [DISTRICT] school board. The commissioner [STATE BOARD OF
3 EDUCATION] may designate as attendance centers, in addition
4 to those which qualify under this definition, those schools
5 which he [IT] determines should be considered as attendance
6 centers because of remote location or other special circum-
7 stances.

8 * Sec. 5. AS 14.17.140 is repealed and re-enacted to read:

9 Sec. 14.17.140. DETERMINATION OF FULL VALUE BY LOCAL
10 AFFAIRS AGENCY. (a) The Local Affairs Agency shall in con-
11 sultation with the local assessors determine the full value
12 of the taxable real and personal property in each district.
13 Exemptions granted according to the Alaska Industrial Incen-
14 tive Act (AS 43.25) shall be honored.

15 (b) In order to determine the full value of the taxable
16 property the Local Affairs Agency may require a person to
17 submit to the Local Affairs Agency a description of the
18 property owned by him, or in which he has an interest, or
19 property held or controlled by him in a representative
20 capacity. The description shall show the nature, quantity,
21 description, amount and value of the property, and the place
22 where it is located. The description shall be in the form
23 the Local Affairs Agency prescribes and shall include any
24 additional information which the Local Affairs Agency re-
25 quires. The Local Affairs Agency may, after receiving the
26 description, require any supplemental information or particu-
27 lars relating to the description.

28 (c) The Local Affairs Agency is not bound by the in-
29 formation in the description, but may make an independent

1 investigation and determination as to the full value of the
2 taxable property.

3 (d) In order to carry out its duty under this section,
4 the Local Affairs Agency may appoint an investigator. He
5 has the right of access to the premises and may examine
6 property on the premises. For this purpose he has the right
7 of access to and may examine all property records involved.
8 Each person shall, upon request, furnish to the investigator
9 every facility and assistance for the purpose of the investi-
10 gation.

11 (e) In making the determination, the Local Affairs
12 Agency shall be guided by AS 29.10.396. The determination
13 of full value shall be made before September 16 and sent by
14 registered mail before that date to the school board in care
15 of the superintendent of schools in each city and borough
16 district and to the chief executive of the city or borough.
17 Duplicate copies shall be sent to the commissioner. The
18 municipality may obtain judicial review of the determination
19 by filing a motion in the superior court of the judicial
20 district in which the district is located within 30 days
21 after receipt of the determination. The superior court may
22 modify the determination of the Local Affairs Agency only
23 upon a finding of abuse of discretion or upon a finding that
24 there is no substantial evidence to support the determination.
25 * Sec. 6. AS 14.17.190 is amended to read:

26 Sec. 14.17.190. RESTRICTIONS GOVERNING RECEIPT AND
27 EXPENDITURE OF MONEY FROM PUBLIC SCHOOL FOUNDATION ACCOUNT.

28 (a) The public school foundation money distributed to a
29 district during a year, together with the money acquired from

1 local effort, shall be received, held, and expended by the
2 district [SCHOOL BOARD] subject to the provisions of law and
3 regulations promulgated by the department [OF THE STATE BOARD
4 OF EDUCATION].

5 (b) Each district shall maintain financial records of
6 the receipt and disbursement of public school foundation
7 money and money acquired from local effort. The records must
8 be in the form required by the commissioner [WHICH THE STATE
9 BOARD OF EDUCATION PRESCRIBES BY REGULATION] and are subject
10 to audit by the commissioner or the board [STATE BOARD OF
11 EDUCATION] at any time.

12 * Sec. 7. AS 14.17.200 is amended to read:

13 Sec. 14.17.200. REGULATIONS. The department shall
14 promulgate [COMMISSIONER MAY ADOPT] regulations [UNDER THE
15 ADMINISTRATIVE PROCEDURE ACT (AS 44.62) to implement this
16 chapter.

17 * Sec. 8. AS 14.17.250(1) is amended to read:

18 (1) "average daily membership" means the aggregate
19 days of membership of pupils divided by the actual number of
20 days [THE SCHOOL IS] in session for the school term [YEAR];

21 * Sec. 9. AS 14.17.250(3) is amended to read:

22 (3) "district" means any [INDEPENDENT, INCORPOR-
23 ATED] city or borough school district, but does not include
24 schools in the state-operated school district [STATE RURAL
25 SCHOOLS];

26 * Sec. 10. AS 14.20.010 is repealed and re-enacted to read:

27 ARTICLE 1. TEACHER CERTIFICATION.

28 Sec. 14.20.010. TEACHER'S CERTIFICATE REQUIRED. A
29 person may not be employed as a teacher in the public schools

1 of the state unless he possesses a valid teacher's certifi-
2 cate.

3 * Sec. 11. AS 14.20.020 is repealed and re-enacted to read:

4 Sec. 14.20.020. REQUIREMENTS FOR ISSUANCE OF CERTIFI-
5 CATE. (a) The department shall issue a teacher's certifi-
6 cate to every person who meets the requirements in (b) and
7 (c) of this section.

8 (b) A person is not eligible for a teacher's certificate
9 unless he has received at least a baccalaureate degree from
10 an institution of higher education accredited by a recognized
11 regional accrediting association. However, this subsection
12 is not applicable to

13 (1) persons employed in the state public school
14 system on September 1, 1962;

15 (2) persons issued an emergency certificate during
16 a situation which, in the judgment of the commissioner, re-
17 quires the temporary issuance of a certificate to a person
18 not otherwise qualified.

19 (c) The department shall establish by regulation
20 additional requirements for the issuance of certificates.

21 (d) The department may by regulation establish various
22 classes of certificates.

23 * Sec. 12. AS 14.20 is amended by adding a new section to
24 read:

25 Sec. 14.20.025. CERTIFICATION BOARD. (a) The governor
26 shall appoint a Teachers' Certification Board of three mem-
27 bers for staggered three-year terms. One member shall be a
28 school administrator, one member shall be a secondary
29 teacher, and one member shall be an elementary teacher, each

1 serving in a district or state-operated school. The board
2 shall select one of its members to be chairman. Two members
3 constitute a quorum to conduct business. The board shall
4 meet at least once a year at a place to be determined by the
5 chairman. Members are not entitled to compensation but are
6 entitled to per diem and travel allowances prescribed by law.

7 (b) The board shall

8 (1) review the regulations of the department as
9 they relate to teacher certification;

10 (2) at its discretion recommend changes in the
11 regulations;

12 (3) review the decisions of the department regard-
13 ing issuance or denial of certificates;

14 (4) at its discretion recommend reversal of
15 decisions of the department regarding the issuance or denial
16 of a certificate.

17 * Sec. 13. AS 14. 20 is amended by adding a new section to
18 read:

19 Sec. 14.20.030. CAUSES FOR REVOCATION. The department
20 may revoke a certificate only for the following causes:

21 (1) incompetency, which is defined as the inability
22 or the unintentional or intentional failure to perform the
23 teacher's customary duties in a satisfactory manner;

24 (2) immorality, which is defined as the commission
25 of an act which, under the laws of the state, constitutes a
26 crime involving moral turpitude; or

27 (3) substantial noncompliance with the school
28 laws of the state or the regulations of the department.

29 * Sec. 14. AS 14.20 is amended by adding a new section to read:

1 Sec. 14.20.040. PROCEDURE AND HEARING. (a) The com-
2 missioner shall notify, in writing, a teacher whose certifi-
3 cate is to be revoked. The written notification shall specify
4 the cause for revocation and include a complete bill of
5 particulars. The teacher may, within 10 days immediately
6 following receipt of the notification from the commissioner,
7 notify the commissioner in writing that he requests a hearing.
8 The teacher may require in the notification that

- 9 (1) the hearing be either public or private,
10 (2) the hearing be under oath or affirmation,
11 (3) he have the right to cross-examination,
12 (4) he be represented by counsel,
13 (5) he have the right to subpoena any person who
14 has made allegations which are used as a basis for the revo-
15 cation of this certificate.

16 (b) Upon receipt of a notification requesting a hearing,
17 the commissioner shall immediately arrange for a hearing and
18 shall notify the teacher in writing of the date, time, and
19 place of the hearing. In determining the place of hearing,
20 the commissioner shall attempt to minimize the costs and
21 inconvenience to parties and witnesses expected to be heard.
22 A member of the board, an attorney of the Department of Law,
23 and a member of the teaching profession in Alaska shall con-
24 stitute the hearing board. A written transcript, tape, or
25 similar recording of the proceedings shall be kept. A trans-
26 cribed copy shall be furnished to the teacher for cost, upon
27 his request. A final decision of the hearing board requires
28 a majority vote. The hearing board shall vote by roll call,
29 and the vote shall be recorded in the record of the hearing.

1 A final decision of the hearing board shall be written and
2 contain specific findings of fact and conclusions of law. A
3 written notification of the decision of the hearing board
4 shall be furnished to the teacher within 10 days.

5 * Sec. 15. AS 14.20.095 is amended to read:

6 Sec. 14.20.095. RIGHT TO COMMENT AND CRITICIZE NOT TO
7 BE RESTRICTED. No bylaw [RULE] or regulation of the commis-
8 sioner of education, a [LOCAL] school board, or local school
9 administrator may restrict or modify the right of a teacher
10 to engage in comment and criticism outside school hours,
11 regarding [RELATIVE TO] school personnel [ADMINISTRATORS],
12 members of the governing body of any school or school district,
13 any other public official, or any school employee, to the same
14 extent that any private individual may exercise the right.

15 * Sec. 16. AS 14.20.130 is repealed and re-enacted to read:

16 Sec. 14.20.130. EMPLOYMENT OF TEACHERS AND ADMINISTRA-
17 TORS. An employer may, after January 1, issue contracts for
18 the following school year to employees regularly qualified in
19 accordance with the regulations of the department. The con-
20 tract for a superintendent may be for more than one school
21 year but may not exceed three consecutive school years.

22 * Sec. 17. AS 14.20.140 is repealed and re-enacted to read:

23 Sec. 14.20.140. NOTIFICATION OF NONRETENTION. (a) If
24 a teacher who has acquired tenure rights is not to be retained
25 for the following school year, the employer shall notify the
26 teacher of the nonretention by writing, delivered before
27 March 16 or by registered mail postmarked before March 16.

28 (b) If a teacher who has not acquired tenure rights is
29 not to be retained for the following school year, the

1 employer shall notify the teacher of the nonretention by
2 writing delivered on or before the last day of the school
3 term or by registered mail postmarked on or before the last
4 day of the school term.

5 * Sec. 18. AS 14.20 is amended by adding a new section to read:

6 Sec. 14.20.145. AUTOMATIC RE-EMPLOYMENT. If notifica-
7 tion of nonretention is not given according to sec. 140 of
8 this chapter a teacher is entitled to be re-employed in the
9 same district for the following school year on the contract
10 terms the teacher and the employer may agree upon, or if no
11 terms are agreed upon, the provisions of the previous contract
12 are continued for the following school year, subject to sec.
13 158 of this chapter. The right to be re-employed according
14 to this section expires if the teacher does not accept re-
15 employment within 30 days after the date on which the teacher
16 became entitled to re-employment.

17 * Sec. 19. AS 14.20.150 is repealed and re-enacted to read:

18 Sec. 14.20.150. ACQUISITION OF TENURE RIGHTS. (a) A
19 teacher acquires tenure rights in a district when he
20 (1) possesses a standard teaching certificate;
21 (2) has been employed as a teacher in the same
22 district continuously for two full school years and is re-
23 employed for the school year immediately following the two
24 full school years.

25 (b) The tenure rights acquired under (a) of this section
26 become effective on the first day the teacher performs
27 teaching services in the district during the school year
28 immediately following the two full school years.

29 * Sec. 20. AS 14.20 is amended by adding a new section to read:

1 Sec. 14.20.155. EFFECT OF TENURE RIGHTS. (a) A teacher
2 who has acquired tenure rights has the right to employment
3 within the district during continuous service.

4 (b) A teacher who has acquired tenure rights may agree
5 to a new contract at any time. However, if the teacher fails
6 to agree to a new contract, the provisions of the previous
7 contract are continued subject to sec. 158 of this chapter.

8 * Sec. 21. AS 14.20 is amended by adding a new section to read:

9 Sec. 14.20.158. CONTINUED CONTRACT PROVISIONS. Con-
10 tinuation of the provisions of a teacher's contract according
11 to secs. 145 or 155 of this chapter does not

12 (1) affect the alteration of the teacher's salary
13 in accordance with the salary schedule prescribed by state
14 law, or in accordance with a local salary schedule applicable
15 to all teachers in the district and adopted by bylaw;

16 (2) limit the right of the employer to assign the
17 teacher to any teaching, administrative, or counseling
18 position for which the teacher is qualified; or

19 (3) limit the right of the employer to assign the
20 teacher, as is reasonably necessary, to any school in the
21 district.

22 * Sec. 22. AS 14.20.160 is repealed and re-enacted to read:

23 Sec. 14.20.160. LOSS OF TENURE RIGHTS. Tenure rights
24 are lost when the teacher's employment in the district is
25 interrupted or terminated, or when the teacher reaches the
26 age of 65.

27 * Sec. 23. AS 14.20.170 is repealed and re-enacted to read:

28 Sec. 14.20.170. DISMISSAL. (a) A teacher, including
29 a teacher who has acquired tenure rights, may be dismissed at

1 any time only for the following causes:

2 (1) incompetency, which is defined as the inability
3 or the unintentional or intentional failure to perform the
4 teacher's customary duties in a satisfactory manner;

5 (2) immorality, which is defined as the commission
6 of an act which, under the laws of the state, constitutes a
7 crime involving moral turpitude; or

8 (3) substantial noncompliance with the school laws
9 of the state, the regulations or bylaws of the department,
10 the bylaws of the district, or the written rules of the
11 superintendent.

12 (b) A teacher may be suspended temporarily with regular
13 compensation during a period of investigation to determine
14 whether or not cause exists for the issuance of a notification
15 of dismissal according to secs. 180 or 190 of this chapter.

16 * Sec. 24. AS 14.20 is amended by adding a new section to read:

17 Sec. 14.20.175. NONRETENTION. (a) A teacher who has
18 not acquired tenure rights is subject to nonretention for the
19 school year following the expiration of his contract for any
20 cause which the employer determines to be adequate. However,
21 at his request, the teacher is entitled to a written state-
22 ment of the cause for his nonretention.

23 (b) A teacher who has acquired tenure rights is subject
24 to nonretention for the following school year only for the
25 following causes:

26 (1) incompetency, which is defined as the inability
27 or the unintentional or intentional failure to perform the
28 teacher's customary duties in a satisfactory manner;

29 (2) immorality, which is defined as the commission

1 of an act which, under the laws of the state, constitutes a
2 crime involving moral turpitude;

3 (3) substantial noncompliance with the school laws
4 of the state, the regulations or bylaws of the department,
5 the bylaws of the district, or the written rules of the
6 superintendent; or

7 (4) a necessary reduction of staff occasioned by
8 a decrease in school attendance.

9 * Sec. 25. AS 14.20.180 is repealed and re-enacted to read:

10 Sec. 14.20.180. PROCEDURE AND HEARING UPON NOTICE OF
11 DISMISSAL OR NONRETENTION BY A SCHOOL DISTRICT. (a) A
12 borough or city school district employer shall include in a
13 notification of dismissal of a teacher who has not acquired
14 tenure rights, or nonretention or dismissal of a tenure
15 teacher, a statement of cause and a complete bill of particu-
16 lars.

17 (b) The teacher may, within 15 days immediately following
18 receipt of the notification, notify the employer in writing
19 that he requests a hearing before the school board. The
20 teacher may require in the notification that

21 (1) the hearing be either public or private,
22 (2) the hearing be under oath or affirmation,
23 (3) he have the right of cross-examination,
24 (4) he be represented by counsel,
25 (5) he have the right and privilege to subpoena
26 any person who has made allegations which are used as a basis
27 for the decision of the employer.

28 (c) Upon receipt of the notification requesting a hear-
29 ing, the employer shall immediately arrange for a hearing, and

1 shall notify the teacher or administrator in writing of the
2 date, time, and place of the hearing. A written transcript,
3 tape, or similar recording of the proceedings shall be kept.
4 Transcribed copies shall be furnished to the teacher for
5 cost upon his request. A final decision of the school board
6 requires a majority vote of the membership. The school board
7 shall vote by roll call. A final decision of the school
8 board shall be written and contain specific findings of fact
9 and conclusions of law. A written notification of the de-
10 cision of the school board shall be furnished to the teacher
11 within 10 days of the date of the decision.

12 * Sec. 26. AS 14.20.190 is repealed and re-enacted to read:

13 Sec. 14.20.190. PROCEDURE AND HEARING UPON NOTICE OF
14 DISMISSAL OR NONRETENTION BY THE DEPARTMENT. (a) The com-
15 missioner or his designee shall include in a notification of
16 dismissal of a teacher in the state-operated school district,
17 who has not acquired tenure rights, or nonretention or dis-
18 missal of a tenure teacher in the state-operated school
19 district an accusation initiating a hearing under the Adminis-
20 trative Procedure Act (AS 44.62).

21 (b) If the teacher files a notice of defense to the
22 accusation, it shall be addressed to the commissioner. The
23 commissioner and two members of the board shall hear all
24 contested cases involving the nonretention or dismissal of a
25 teacher employed by the department and may not delegate the
26 function to a hearing officer.

27 * Sec. 27. AS 14.20 is amended by adding a new section to read:

28 Sec. 14.20.205. JUDICIAL REVIEW. (a) If a school
29 board reaches a decision unfavorable to a teacher, the teacher

1 is entitled to a de novo trial in the superior court.

2 (b) If the board of appeals reaches a decision un-
3 favorable to a teacher, the teacher is entitled to judicial
4 review according to AS 44.62.

5 * Sec. 28. AS 14.20 is amended by adding a new section to read:

6 Sec. 14.20.207. DEFINITIONS. In secs. 10 - 210 of this
7 chapter

8 (1) "teacher" means a person serving in a teaching,
9 counseling, or administrative capacity and required to be
10 certificated in order to hold the position;

11 (2) "employer" means the school board or superin-
12 tendent which appoints the teacher or, in the case of a
13 teacher in the state-operated schools, the department;

14 (3) "school year" includes "school term" if the
15 teacher is employed only for the period of the school term;

16 (4) "continuous employment" means employment which
17 is without interruption except for temporary absences approved
18 by the employer or its designee, or by the interval between
19 consecutive school terms if the teacher is employed only for
20 the months of the school term;

21 (5) "nonretention" means the election by an employer
22 not to re-employ a teacher for the school year or school term
23 immediately following the expiration of the teacher's current
24 contract; and

25 (6) "dismissal" means termination by the employer,
26 during the time a teacher's contract is in force, of the
27 contract services of the teacher and of the right to the
28 balance of the compensation due the teacher under his contract.

29 * Sec. 29. AS 14.20.210 is repealed and re-enacted to read:

1 Sec. 14.20.210. AUTHORITY OF SCHOOL BOARD OR DEPARTMENT
2 TO ADOPT BYLAWS. A school board or the department may adopt
3 teacher tenure bylaws not in conflict with the regulations
4 of the department or state law.

5 * Sec. 30. AS 14.20.280 is amended to read:

6 Sec. 14.20.280. BASIS OF LEAVE. A teacher who has
7 rendered active service for seven or more years in a district
8 [PUBLIC SCHOOL SYSTEM IN THE STATE] is entitled to sabbatical
9 leave [, SUBJECT TO THE RESTRICTIONS OF SECS. 280 - 350 OF
10 THIS CHAPTER]. Sabbatical leave may be taken for educational
11 purposes only, and for not more than one school year.

12 * Sec. 31. AS 14.20.290 is amended to read:

13 Sec. 14.20.290. APPLICATION. A teacher who wishes to
14 take sabbatical leave must apply [, IF EMPLOYED IN AN
15 ORGANIZED SCHOOL DISTRICT,] to the governing body of the
16 school district [SUPERINTENDENT OF SCHOOLS, AND, IF EMPLOYED
17 IN A NONDISTRICT SCHOOL, TO THE COMMISSIONER OF EDUCATION].
18 The teacher must submit information showing his qualifications
19 for sabbatical leave and a plan for his education during the
20 leave.

21 * Sec. 32. AS 14.20.300 is repealed and re-enacted to read:

22 Sec. 14.20.300. SELECTION OF TEACHERS. (a) The
23 governing body of the school district has the responsibility
24 for selection of the teachers to be granted sabbatical leave.

25 (b) In selecting teachers for sabbatical leave, the
26 governing body shall consider the benefit which the school
27 district will derive from the proposed plan of the teacher
28 for educational purposes, the field of study of the teacher,
29 the contributions of the teacher to education in Alaska, and

1 the seniority of the teacher.

2 * Sec. 33. AS 14.20.310 is amended to read:

3 Sec. 14.20.310. AMOUNT OF SABBATICAL LEAVE AND COMPEN-
4 SATION. (a) The number of teachers entitled to sabbatical
5 leave which may be allowed under secs. 280 - 350 of this
6 chapter is as follows:

7 (1) not more than one half of one per cent of the
8 total number of [EIGHT] teachers from all borough and city
9 school districts and the state-operated school district [BOTH
10 ORGANIZED DISTRICT AND NONDISTRICT SCHOOLS] may be on state-
11 supported sabbatical leave in any year;

12 (2) any number of teachers may be on sabbatical
13 leave at school district expense.

14 (b) A teacher on state-supported sabbatical leave is
15 entitled to one-half his base salary to be paid by the de-
16 partment.

17 (c) A teacher on sabbatical leave at district expense
18 is entitled to an amount of salary to be determined by the
19 school [LOCAL] board.

20 * Sec. 34. AS 14.20.320 is amended to read:

21 Sec. 14.20.320. RESPONSIBILITY OF TEACHER. Upon a
22 teacher's return to his teaching position, the teacher shall
23 make a report to the governing body [AUTHORITY WHICH APPROVED
24 HIS SABBATICAL LEAVE] concerning his educational accomplish-
25 ments. A teacher who does not serve for at least a full
26 year after his return shall refund to the district, if the
27 sabbatical leave was at district expense, or to the depart-
28 ment, if the sabbatical leave was state-supported, money
29 paid to him under sec. 310 of this chapter unless his failure

1 to serve a full year after return is attributable to sickness,
2 injury, or death.

3 * Sec. 35. AS 14.20.330 is repealed and re-enacted to read:

4 Sec. 14.20.330. POSITION, TENURE, AND RETIREMENT. (a)
5 Unless it is otherwise agreed, a teacher returning from sab-
6 batical leave shall return to the position which he occupied
7 before he left.

8 (b) A sabbatical leave is not an interruption of the
9 continuous service necessary to attain or retain tenure under
10 secs. 150, 155, or 160 of this chapter. However, the time
11 spent on sabbatical leave may not be counted in determining
12 when a teacher has sufficient service to enable him to
13 acquire tenure rights.

14 (c) A sabbatical leave is not a break in service for
15 retirement purposes. Payment into the retirement fund shall
16 be made on the basis of full salary.

17 * Sec. 36. AS 14.20.345(a) is amended to read:

18 (a) A teacher may be granted a leave of absence without
19 pay for the purposes which may be approved by the governing
20 body of the district [LOCAL SCHOOL BOARD IF THE TEACHER IS
21 EMPLOYED IN AN ORGANIZED DISTRICT, OR BY THE DEPARTMENT IF
22 THE TEACHER IS EMPLOYED IN A NONDISTRICT SCHOOL,] if

23 (1) his application is approved by the governing
24 body of the district [HIS LOCAL BOARD IF EMPLOYED IN AN
25 ORGANIZED DISTRICT, OR BY THE DEPARTMENT IF EMPLOYED IN A
26 NONDISTRICT SCHOOL]; and

27 (2) he agrees to return to employment in a public
28 school not later than the beginning of the school year fol-
29 lowing termination of the period for which the leave of

1 absence was granted.

2 * Sec. 37. AS 14.20.345(b) is repealed and re-enacted to read:

3 (b) A leave of absence is not an interruption of the
4 continuous service necessary to attain or retain tenure
5 rights according to secs. 150, 155, or 160 of this chapter.
6 However, the time spent on leave of absence may not be
7 counted in determining when a teacher has sufficient service
8 to enable him to acquire tenure rights.

9 * Sec. 38. AS 14.30.010 is repealed and re-enacted to read:

10 Sec. 14.30.010. WHEN ATTENDANCE COMPULSORY. (a)

11 Every parent, guardian, or other person having the responsi-
12 bility for or control of a child between seven and 16 years
13 of age shall take every reasonable step necessary to insure
14 that the child is not absent from attendance at the public
15 school in the district in which the child resides during
16 each school term.

17 (b) This section does not apply if a child

18 (1) is provided an academic education comparable
19 to that offered by the public schools in the area, either by
20 attendance at a private school in which the teachers are
21 certified according to AS 14.20.010 - 14.20.040 or by tutor-
22 ing by personnel certified according to AS 14.20.010 - 14.-
23 20.040;

24 (2) attends a school operated by the federal
25 government;

26 (3) has a physical or mental condition which a
27 competent medical authority determines will make attendance
28 impractical;

29 (4) is in the custody of a court or law enforce-

1 ment authorities;

2 (5) is temporarily ill or injured;

3 (6) has been suspended or denied admittance
4 according to sec. 45 of this chapter;

5 (7) resides more than two miles from either a
6 public school or a route on which transportation is provided
7 by the school authorities, except this subsection does not
8 apply if the pupil resides within two miles of a federal
9 school which he is eligible to attend;

10 (8) is excused in writing signed by a majority of
11 the members of the school board of a district, or by the
12 commissioner or his designee in state-operated schools; or

13 (9) has completed the eighth grade.

14 * Sec. 39. AS 14.30.020 is repealed and re-enacted to read:

15 Sec. 14.30.020. VIOLATION. A person violating sec. 10
16 of this chapter is guilty of a misdemeanor and upon conviction
17 is punishable by a fine of not less than \$50 nor more than
18 \$200, plus the cost of prosecution, and shall be imprisoned
19 until the fine and costs are paid or until he has served one
20 day for every \$2 of the fine and costs, at which time the
21 fine and costs are automatically discharged. Each unlawful
22 absence is a violation and if an absence is extensive there
23 is a new violation each time five consecutive days of the
24 absence elapse. The court may suspend sentence, stay or post-
25 pone enforcement of execution, or release from custody a
26 person found guilty upon the conditions which are in the best
27 interests of the child. In any event, at the expiration of
28 the school year, the person shall be released and discharged
29 from all penalties provided by this section.

1 * Sec. 40. AS 14.30.030 is repealed and re-enacted to read:

2 Sec. 14.30.030. REPORT OF VIOLATIONS AND PROCEDURES.

3 The chief administrative officer of a district or state-
4 operated school shall report all apparent violations of sec.
5 10 of this chapter to the governing body of the division.
6 The governing body shall, on receiving the report or on the
7 complaint of any person, provide for a full and impartial
8 investigation of all charges of violation. In private or
9 federal schools, the chief administrative officer shall make
10 a full and impartial investigation of all apparent violations.
11 If it reasonably appears upon investigation that a person has
12 violated sec. 10 of this chapter, the governing body of a
13 district or state-operated school, or the chief administrative
14 officer of a private or federal school, shall make and file
15 with the district magistrate court a complaint against the
16 person, charging the violation. The magistrate may issue
17 a warrant for the arrest of the person and may act upon the
18 complaint.

19 * Sec. 41. AS 14.30 is amended by adding a new section to read:

20 Sec. 14.30.045. GROUNDS FOR SUSPENSION OR DENIAL OF

21 ADMISSION. (a) A school age child may be suspended from or
22 denied admission to the public school which he is otherwise
23 entitled to attend only for the following causes:

24 (1) continued wilful disobedience or open and
25 persistent defiance of reasonable school authority;

26 (2) behavior which is inimicable to the welfare,
27 safety, or morals of other pupils;

28 (3) a physical or mental condition which in the
29 opinion of a competent medical authority will render the

1 child unable to reasonably benefit from the programs available

2 (4) a physical or mental condition which in the
3 opinion of a competent medical authority will cause the
4 attendance of the child suffering from the conditions to be
5 inimicable to the welfare of other pupils;

6 (5) conviction of a felony which the governing
7 body of the district determines will cause the attendance of
8 the child to be inimicable to the welfare or education of
9 other pupils.

10 (b) A child may be suspended from or denied admission
11 to the public school which he is otherwise entitled to attend
12 only in accordance with this section.

13 * Sec. 42. AS 14.30 is amended by adding a new section to read:

14 Sec. 14.30.047. ADMISSION OR READMISSION, WHEN CAUSE NO
15 LONGER EXISTS. (a) A child who has been suspended from or
16 denied admittance to a school according to sec. 45(a)(3) or
17 (4) of this chapter shall be permitted to attend school when
18 he is obviously recovered or presents to the governing body
19 a statement in writing from a competent medical authority that
20 he is no longer afflicted with, or suffering from, the
21 physical or mental condition to the extent that it is a cause
22 for suspension or denial of admission according to sec. 45(a)
23 (3) or (4) of this chapter.

24 (b) A child who has been suspended from or denied admit-
25 tance to a school for any other cause provided by sec. 45 of
26 this chapter shall be permitted to attend school when it
27 reasonably appears that the cause has been remedied.

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

29 Sec. 14.30.050. TRUANT OFFICERS. (a) If it is not

1 practical for an existing law enforcement agency to enforce
2 sec. 10 of this chapter, the governing body of the school
3 district or the Bureau of Indian Affairs may appoint the
4 necessary truant officers to enforce sec. 10 of this chapter.
5 The state shall not contribute to the expenses of an officer
6 appointed by the Bureau of Indian Affairs.

7 (b) A truant officer may arrest and bring before any
8 district magistrate, a person violating sec. 10 of this chap-
9 ter upon a warrant issued by the district magistrate.

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

11 Sec. 14.30.065. SUPERVISION. The program of physical
12 examinations and vaccinations prescribed by secs. 65 - 125
13 of this chapter shall be under the general supervision and
14 in accordance with regulations of the Department of Health
15 and Welfare.

16 * Sec. 45. AS 14.30.070 is repealed and re-enacted to read:

17 Sec. 14.30.070. PHYSICAL EXAMINATION REQUIRED. (a)
18 The governing body of each school district shall provide for
19 and require a physical examination of every child attending
20 school in the district. The examination shall be made when
21 the child enters school or, in areas where no physician
22 resides, as soon thereafter as is practicable, and thereafter
23 at regular intervals considered advisable by the governing
24 body of the district.

25 (b) The department of health and welfare may require
26 the district to conduct additional physical examinations
27 which it considers necessary, and may reimburse the district
28 for the additional examinations on the basis and to the
29 extent the commissioner of health and welfare prescribes by

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by regulation.

(c) Examinations shall be made by a competent physician, except that if the services of a physician cannot be obtained or if authorized by the commissioner of health and welfare, examinations may be made by a nurse.

* Sec. 46. AS 14.30.120 is amended to read:

Sec. 14.30.120. CERTIFICATE OF PHYSICAL EXAMINATION.

The school board, when [PERIODIC] physical examinations are made [OF A CHILD], shall deliver to the parent, [OR] guardian or other person having the responsibility for or control of the child a report signed by the physician or nurse making the [PHYSICAL] examination [OR INSPECTION], specifying the findings with respect to the health and physical well-being of the child.

* Sec. 47. AS 14.30 is amended by adding a new section to read:

Sec. 14.30.125. VACCINATION. If in the judgment of the commissioner of health and welfare it is necessary for the welfare of the children or the general public in an area, the governing body of the school district shall require the children attending school in that area to be vaccinated against the diseases the commissioner of health and welfare may specify.

* Sec. 48. AS 14.30.186 is repealed and re-enacted to read:

Sec. 14.30.186. COVERAGE. (a) A borough or city school district shall provide for special services for each classification of exceptional children represented by not less than five children residing in the district.

(b) The department shall provide for special services in a school in the state-operated school district for each

1 classification of exceptional children represented by not less
2 than five children residing in the area served by the school.

3 (c) Nothing in this section shall prevent special ser-
4 vices from being offered to classifications represented by
5 less than five children.

6 * Sec. 49. AS 14.30.250 is amended to read:

7 Sec. 14.30.250. TEACHER QUALIFICATIONS. No person shall
8 be employed to teach a class for exceptional children unless
9 he possesses a valid teacher's certificate, and, in addition,
10 such training as the department may require by regulation
11 [SUPERVISOR OF SPECIAL EDUCATION MAY REQUIRE IN RULES AND
12 REGULATIONS APPROVED BY THE COMMISSIONER].

13 * Sec. 50. AS 14.30.260 is amended to read:

14 Sec. 14.30.260. EXCEPTION TO QUALIFICATIONS. The school
15 board for a district, or the department for a school in the
16 state-operated school district [OF A PUBLIC SCHOOL SYSTEM]
17 in which special services are provided for, [A SPECIAL CLASS
18 IS ESTABLISHED AND MAINTAINED] may waive part of the qualifi-
19 cations for teachers as set forth in sec. 250 of this chapter,
20 if necessary, during the first school year special services are
21 offered in the district or in the school in the state-operated
22 school district [THE PROGRAM IS IN OPERATION IN THE DISTRICT.
23 AFTER THE END OF THE FIRST SCHOOL YEAR NO TEACHER MAY BE
24 EMPLOYED UNLESS HE HAS THE QUALIFICATIONS AS SET OUT IN SEC.
25 250 OF THIS CHAPTER].

26 * Sec. 51. AS 14.30.270 is amended to read:

27 Sec. 14.30.270. SUBSTITUTES. Section 250 of this
28 chapter does not prohibit the employment of a person, other-
29 wise qualified to serve as a substitute teacher, to serve as

1 a teacher of a class for exceptional children [HOLDING SOME
2 OTHER VALID CREDENTIAL AUTHORIZING SUBSTITUTE TEACHING AS A
3 SUBSTITUTE TEACHER OF EACH SPECIAL DAY CLASS] for not more
4 than 20 school days in the same class in a school year.

5 * Sec. 52. AS 14.30.280 is amended to read:

6 Sec. 14.30.280. PSYCHOLOGIST QUALIFICATIONS. The mini-
7 mum standards for a psychologist are the minimum standards
8 set out in the state classification plan for a psychologist,
9 and such additional requirements as the department [COMMIS-
10 SIONER OR BOARD OF EDUCATION] prescribes by regulation.

11 * Sec. 53. AS 14.30.330 is amended to read:

12 Sec. 14.30.330. APPLICATION FOR ENROLLMENT. (a) The
13 parent or guardian of an exceptional child [RESIDING IN THE
14 PUBLIC SCHOOL SYSTEM], or the school administrator, for ex-
15 ceptional children residing in the district or area in which
16 the administrator is employed, shall make [INITIATE] applica-
17 tion [UPON PRESCRIBED FORMS] for the enrollment of the child
18 [, THROUGH THE SYSTEM TO THE STATE DEPARTMENT OF EDUCATION].
19 If the administrator makes [INITIATES] the application
20 [PLACEMENT], it shall be with the full knowledge and consent
21 of the parent or guardian.

22 (b) The application shall be on forms provided by the
23 department and shall be submitted to the governing body of
24 the district in which the child resides. When an application
25 is submitted to a school board, it shall be forwarded to the
26 commissioner.

27 (c) Final certification of a student for special ser-
28 vices [TO THE PROGRAM] is the responsibility of the commis-
29 sioner [OF EDUCATION]. The child shall undergo physical and

1 psychological examination by qualified [ACCREDITED] personnel
2 for the purpose of determining whether or not the child is
3 capable of receiving benefit from attending classes for
4 exceptional children [PARTICIPATION IN A SPECIAL EDUCATION
5 PROGRAM]. If determined eligible and capable of receiving
6 benefit [THE INDICATED BENEFITS], and upon approval of the
7 application by the commissioner [OF EDUCATION], the child
8 shall be recommended for enrollment.

9 * Sec. 54. AS 14.30.345 is amended to read:

10 Sec. 14.30.345. REGULATIONS. The department [COMMIS-
11 SIONER OF EDUCATION] shall promulgate regulations to carry
12 out the purposes of this chapter.

13 * Sec. 55. AS 14.33.010 is amended to read:

14 Sec. 14.33.010. REQUIREMENTS FOR SCHOOL SAFETY PATROLS.
15 The department, for the benefit of schools in the state-
16 operated school district [SCHOOLS], or the school board of a
17 borough or city school district, or a private or denomina-
18 tional school may require that school safety patrols be
19 established to assist pupils to cross streets and highways
20 adjacent to schools in safety.

21 * Sec. 56. AS 14.35.020 is repealed and re-enacted to read:

22 Sec. 14.35.020. DUTIES OF STATE BOARD OF EDUCATION. (a)
23 The State Board of Education serves as the state board for
24 the purposes of any of the Acts described in sec. 10 of this
25 chapter.

26 (b) When required by any of the Acts described in sec.
27 10 of this chapter the board shall

28 (1) prepare, submit, and supervise the administra-
29 tion of the plans for vocational education and vocational

1 rehabilitation;

2 (2) select a state director of vocational educa-
3 tion;

4 (3) establish the minimum qualifications for
5 teachers, supervisors, or directors; and

6 (4) determine the prorated basis on which money
7 shall be available for the salary and necessary travel ex-
8 penses of the state director of vocational education.

9 (c) Nothing in this section shall be construed to
10 repeal or modify any existing statute.

11 * Sec. 57. AS 14.35 is amended by adding a new section to read

12 Sec. 14.35.025. DUTIES OF THE DEPARTMENT OF EDUCATION.

13 When required by any of the Acts described in sec. 10 of
14 this chapter the department shall

15 (1) cooperate with the United States Department
16 of Health, Education, and Welfare in the administration of
17 the Act;

18 (2) do everything necessary to entitle the state
19 to receive money available according to the Act;

20 (3) represent the state in all matters related to
21 the administration of the Act;

22 (4) expend and disburse money received according
23 to the Act; and

24 (5) designate the districts, schools, departments,
25 or classes to participate in the benefits of money received
26 according to the Act.

27 * Sec. 58. AS 14.35.040 is amended to read:

28 Sec. 14.35.040. COMMISSIONER OF ADMINISTRATION

29 [REVENUE] AS CUSTODIAN OF FEDERAL FUNDS. The commissioner of

1 administration [REVENUE] is designated custodian of appropri-
2 ations made under any of the Acts [ACT REFERRED TO] described
3 in sec. 10 of this chapter. He shall receive and provide for
4 the proper custody and disbursement of all money paid to the
5 state according to any [FROM APPROPRIATIONS] of the Acts
6 [ACT].

7 * Sec. 59. AS 14 is amended by adding a new chapter to read:

8 CHAPTER 56. THE STATE LIBRARY AND MUSEUM.

9 Sec. 14.56.010. DEPARTMENT OF EDUCATION TO GOVERN
10 LIBRARY AND MUSEUM. The department of education shall manage
11 and have complete charge of all of the property contained in
12 the institution known as the state library and the state
13 museum.

14 Sec. 14.56.020. POWERS OF DEPARTMENT OF EDUCATION.
15 The department shall

16 (1) stimulate and encourage citizens participation
17 in the development and improvement of library facilities; and

18 (2) establish policies, plans, and procedures of
19 the department, and promulgate reasonable regulations and
20 orders, with penalties, as may be required.

21 Sec. 14.56.030. STATE LIBRARY DUTIES. The department
22 shall undertake state library functions which will benefit the
23 state and its citizens, including:

24 (1) coordinate library services of the state with
25 other educational services and agencies to increase effective-
26 ness and eliminate duplication;

27 (2) provide reference library service to state and
28 other public officials;

29 (3) provide library services and administer state

1 and other grants-in-aid to public libraries to supplement and
2 improve their services, the grants to be paid from funds
3 appropriated for that purpose, or from other funds available
4 for that purpose;

5 (4) provide library service directly to areas in
6 which there is not sufficient population or local revenue to
7 support independent library units;

8 (5) distribute financial aid to public libraries
9 for extension of library service to surrounding areas and to
10 improve inadequate local library service under regulations
11 promulgated by the department;

12 (6) offer consultant service on library matters
13 to state and municipal libraries, community libraries, school
14 libraries, and libraries in unincorporated communities;

15 (7) collect, catalog and preserve a separate Alaska
16 collection consisting of books, laws, pamphlets, periodicals,
17 manuscripts, micro-reproductions, audio-visual material, etc.;

18 (8) serve as a depository for state and federal
19 publications concerning Alaska;

20 (9) acquire, catalog and maintain archives relative
21 to Alaska such as the records or correspondence of any public
22 or private institution or individual which are adjudged worthy
23 of preservation for reference and research purposes;

24 (10) prepare the budget and employ personnel;

25 (11) acquire, build, or dispose of real and personal
26 property;

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

29 Sec. 14.56.040. APPLICATION FOR GRANT-IN-AID. An

1 association desiring to receive the benefits of secs. 20 - 60
2 of this chapter shall file a copy of its articles of incorpora-
3 tion and bylaws with the department, and shall file an annual
4 report with the department listing the members of its library
5 board and an accurate record of money spent on the purchase of
6 books and periodicals. A copy of these records shall be sent
7 to the department at the close of each fiscal year.

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

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

28 Sec. 14.56.070. STATE MUSEUM DUTIES. The department
29 shall

1 (1) acquire artifacts, natural history specimens,
2 art objects, etc., that pertain to the human and natural
3 history of Alaska by purchase and by gift;

4 (2) identify, catalog, preserve, and display these
5 acquisitions;

6 (3) acquire and catalog Alaskan photographs and
7 maintain a card catalog of this collection;

8 (4) accept endowments, grants, and gifts in
9 accordance with established state policy;

10 (5) collect and maintain books, periodicals,
11 pamphlets, and other materials pertinent to museum adminis-
12 tration, techniques and collections;

13 (6) assist and advise in the development of local
14 museums;

15 (7) collect and keep current information concerning
16 museum activities throughout the state;

17 (8) coordinate the museum activities of the state
18 with those of other agencies in order to increase effective-
19 ness and to avoid duplication;

20 (9) keep the museum open at reasonable hours for
21 the convenience of visitors.

22 * Sec. 60. AS 14.60.010 is amended by adding new subsections
23 to read:

24 (5) "governing body" means the school board of a
25 borough or city school district or the department for the
26 state-operated school district;

27 (6) "school board" means the school board of a
28 borough or city school district.

29 * Sec. 61. The following laws are repealed: AS 14.05;

1 AS 14.10; AS 14.15; AS 14.20.090; AS 14.20.185; AS 14.20.200;
2 AS 14.30.040; AS 14.30.060; AS 14.30.080 - 14.30.110;
3 AS 14.30.130 - 14.30.170; AS 14.30.185; AS 14.30.345;
4 AS 14.35.040; AS 14.45.010; AS 14.55

5 * Sec. 62. This Act takes effect July 1, 1966.
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