

Introduced: 2/16/70  
Referred: Health, Welfare  
and Education

IN THE SENATE

BY BEGICH

SENATE BILL NO. 500

IN THE LEGISLATURE OF THE STATE OF ALASKA  
SIXTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to education for exceptional children."

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

\* Section 1. AS 14.30.180 is amended to read:

Sec. 14.30.180. PURPOSE. It is the purpose of secs. 180 - 350 of this chapter to provide competent education services for the exceptional children of legal school age in the state [FIVE YEARS OF AGE OR OLDER AND UNDER 19] for whom the regular school facilities are [INADEQUATE OR] not available.

\* Sec. 2. AS 14.30.186(a) is amended to read:

(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.

\* Sec. 3. AS 14.30.186(b) is amended to read:

(b) The department shall provide for special services in a school in the state-operated school district for [EACH CLASSIFICATION OF] exceptional children represented by not less than five children residing in the area served by the school.

\* Sec. 4. AS 14.30.190 is repealed.

\* Sec. 5. AS 14.30 is amended by adding a new section to read:

Sec. 14.30.191. ESTABLISHMENT OF STANDARDS BY DEPARTMENTS OF EDUCATION AND HEALTH AND WELFARE. The Departments of Education and Health and Welfare shall cooperatively establish by regulation diagnostic standards for the identification and classification of the learning, mental and physical status of exceptional children. Standards

1 relating to special education programs, individual or general, shall  
2 remain the responsibility of the Department of Education in conjunction  
3 with the local education agency.

4 \* Sec. 6. AS 14.30.230 is repealed.

5 \* Sec. 7. AS 14.30 is amended by adding a new section to read:

6 Sec. 14.30.231. ADVISORY COMMITTEE. The commissioners of educa-  
7 tion and health and welfare shall establish an advisory committee, the  
8 function of which is to provide information and guidance for the  
9 development of appropriate special education programs and services for  
10 exceptional children. Membership of the advisory committee shall  
11 include, but not be limited to, persons representing local education  
12 agencies, state agencies, parent groups and organizations concerned  
13 with programs and services for exceptional children.

14 \* Sec. 8. AS 14.30.330(c) is amended to read:

15 (c) Final certification of a student for special services is the  
16 responsibility of the commissioner. The child shall undergo evaluation  
17 as defined by regulation of the department [PHYSICAL AND PSYCHOLOGICAL  
18 EXAMINATION] by qualified personnel for the purpose of determining  
19 whether or not the child is capable of receiving benefit from enrollment  
20 in a special education program [ATTENDING CLASSES FOR EXCEPTIONAL  
21 CHILDREN]. If determined eligible and capable of receiving benefit,  
22 and upon approval of the application by the commissioner, the child  
23 shall be recommended for enrollment.

24 \* Sec. 9. AS 14.30.350 is repealed.

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

26 Sec. 14.30.351. DEFINITIONS. In secs. 180 - 351 of this chapter

27 (1) "exceptional children" means children who differ marked-  
28 ly from their peers to the degree that they are better served by place-  
29 ment in a special learning program designed to serve their particular

1 exceptional; these children may be identified in the following  
2 categories:

3 (A) "mentally retarded" includes children who consis-  
4 tently demonstrate evidence of reduced academic achievement or  
5 social behavior and whose intellectual potential indicates  
6 restriction significantly below that of their peers;

7 (B) "physically handicapped" includes children whose  
8 known or diagnosed physical impairments are so severe or involved  
9 that special facilities, equipment or methods are needed to make  
10 their educational program effective;

11 (C) "emotionally handicapped" includes children whose  
12 known or diagnosed emotional impairment is so severe or involved  
13 that special facilities, equipment or methods are needed to make  
14 their educational program effective;

15 (D) "children with learning disabilities" includes  
16 those who exhibit disorders in one or more of the basic learning  
17 processes involved in comprehending or using expressive or recep-  
18 tive language and who may require special facilities, equipment  
19 or methods to make their educational program effective;

20 (E) "gifted" includes children having outstanding  
21 intellectual ability or creative talent, the development of which  
22 requires programs or services beyond the level of those ordinarily  
23 provided in regular school programs;

24 (F) "multiple - handicapped" includes children whose  
25 known or diagnosed handicaps are determined to be any combination  
26 of (A) - (E) of this paragraph whose needs demand the provision  
27 of special facilities, equipment or methods to make their educa-  
28 tional program effective;

29 (2) "special services" means but is not limited to

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3 transportation, special teaching, corrective teaching, corrective  
4 health habits, and the provision of special seats, books, teaching  
5 supplies, facilities, and equipment required for the instruction of  
6 exceptional children, and includes education and training for children  
7 who cannot utilize regular classroom instruction.  
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