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

1 IN THE SENATE

BY BEGICH

2 SENATE BILL NO. 500

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

9 Sec. 14.30.180. PURPOSE. It is the purpose of secs. 180 - 350
10 of this chapter to provide competent education services for the excep-
11 tional children of legal school age in the state [FIVE YEARS OF AGE OR
12 OLDER AND UNDER 19] for whom the regular school facilities are inade-
13 quate or not available.

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

15 (a) A borough or city school district shall provide for special
16 services for [EACH CLASSIFICATION OF] exceptional children represented
17 by not less than five children residing in the district.

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

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

23 * Sec. 4. AS 14.30.190 is repealed.

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

25 Sec. 14.30.191. ESTABLISHMENT OF STANDARDS BY DEPARTMENTS OF
26 EDUCATION AND HEALTH AND WELFARE. The Departments of Education and
27 Health and Welfare shall cooperatively establish by regulation diag-
28 nostic standards for the identification and classification of the
29 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 AS 14.30.230 is repealed.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 exceptionality; these children may be identified in the following
2 categories:

3 (A) "mentally retarded" includes those children of
4 educable and trainable mind who consistently demonstrate evidence
5 of reduced academic achievement or social behavior and whose
6 intellectual potential indicates restriction significantly below
7 that of their peers;

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

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

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

21 (E) "gifted" includes children having outstanding
22 intellect, ability or creative talent. Programs or services
23 beyond the level of those ordinarily provided as regular school
24 programs shall be submitted to the Department for supplemental
25 funding on an approved program basis.

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

1 tional program effective;

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