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Referred: Health, Education &
Social Services

1 IN THE HOUSE

BY FRITZ, TISCHER, PESTINGER,
FURNACE, WARD AND FLOOD

2

HOUSE BILL NO. 357

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the regulation of religious
7 schools."

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

9 * Section 1. AS 14.07.020(8) is amended to read:

10 (8) in cooperation with the Department of Health and Social
11 Services, exercise general supervision over public and private pre-
12 elementary schools and over the educational component of nurseries as
13 defined in AS 47.35.080(4) excluding pre-elementary schools and nur-
14 series operated by a church or other nonprofit religious organization
15 that is exempt from federal taxation if the program does not receive
16 state or federal funding; pre-elementary schools in this paragraph
17 means schools for children ages three through five years when the
18 schools' primary function is educational;

19 * Sec. 2. AS 14.30.010(b)(1) is amended to read:

20 (1) is provided an academic education comparable to that
21 offered by the public schools in the area, either by

22 (A) attendance at a private school in which the teach-
23 ers are certificated according to AS 14.20.020;

24 (B) tutoring by personnel certificated according to
25 AS 14.20.020; [OR]

26 (C) except as provided in (D) of this paragraph,
27 attendance at a private school in which the average student
28 proficiency is not less than the average proficiency found in the
29 public schools in the area as measured by national achievement

1 tests; the department with assistance from representatives of the
2 private schools shall adopt [PROMULGATE] regulations defining the
3 subject areas to be tested and the minimum average scores to be
4 achieved; or

5 (D) attendance in an educational program operated by a
6 church or other nonprofit religious organization that is exempt
7 from federal taxation if the program does not receive state or
8 federal funding;

9 * Sec. 3. AS 14.45.020 is amended to read:

10 Sec. 14.45.020. COMMISSIONER MAY FURNISH EXAMINATION QUESTIONS
11 FOR AND GRANT DIPLOMAS TO EIGHTH GRADE PUPILS. The commissioner may
12 furnish final examination questions for the eighth grade pupils in
13 private [AND DENOMINATIONAL] schools not operated by a church or other
14 nonprofit religious organization that is exempt from federal taxation
15 and does not receive state or federal funding and grant eighth grade
16 diplomas in the same manner as in the public schools.

17 * Sec. 4. AS 14.45.030 is amended to read:

18 Sec. 14.45.030. ATTENDANCE AND ANNUAL REPORTS REQUIRED. Teach-
19 ers and others in charge of private [OR DENOMINATIONAL] schools not
20 operated by a church or other nonprofit religious organization that is
21 exempt from federal taxation and does not receive state or federal
22 funding shall make regular monthly attendance reports and annual
23 reports to the commissioner in the same manner as teachers and super-
24 intendants in the public schools.

25 * Sec. 5. AS 44.27.020(1) is amended to read:

26 (1) administer the state's program of education at the
27 elementary, secondary, and adult levels, including, but not limited
28 to, programs of vocational education and training, vocational reha-
29 bilitation, library services, correspondence courses, adult basic

1 education, and fire-service training, but not including degree pro-
2 grams of postsecondary education or an educational program operated by
3 a church or other nonprofit religious organization that is exempt from
4 federal taxation if the program does not receive state or federal
5 funding;