

Offered: 5/19/83  
Referred: Rules

Original sponsors: Fritz, Tischer,  
Pestinger, et al

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 357 (HESS)

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 the educational component of  
14 pre-elementary schools and nurseries operated by a church or other  
15 nonprofit religious organization that is exempt from federal taxation  
16 and does not receive state or federal funding; pre-elementary schools  
17 in this paragraph means schools for children ages three through five  
18 years when the 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 board of education [DEPARTMENT] with assistance from  
2 representatives of the private schools shall adopt [PROMULGATE]  
3 regulations defining the subject areas to be tested and the  
4 minimum average scores to be achieved; or

5 (D) attendance in an educational program operated in  
6 compliance with AS 14.45 by a church or other nonprofit religious  
7 organization that is exempt from federal taxation and does not  
8 receive state or federal funding;

9 \* Sec. 3. AS 14.45 is amended by adding a new section to read:

10 Sec. 14.45.025. EXEMPTION FROM EDUCATION LAWS. A religious  
11 school that complies with this chapter is exempt from other provisions  
12 of state law and regulations relating to education except laws and  
13 regulations relating to health, fire safety, sanitation, immunization,  
14 and physical examinations.

15 \* Sec. 4. AS 14.45.030 is amended to read:

16 Sec. 14.45.030. ATTENDANCE AND ANNUAL REPORTS REQUIRED. (a)  
17 Except as provided in (b) and (c) of this section, teachers [TEACHERS]  
18 and others in charge of private or denominational schools shall make  
19 regular monthly attendance reports and annual reports to the commis-  
20 sioner in the same manner as teachers and superintendents in the  
21 public schools.

22 \* Sec. 5. AS 14.45.030 is amended by adding new subsections to read:

23 (b) The parent or guardian of a child enrolled in a religious  
24 school that complies with this chapter shall file an annual notice of  
25 enrollment in the religious school for the child with the public  
26 school superintendent for the area in which the child resides on a  
27 form provided by the public school superintendent. The form shall be  
28 signed by the parent and the chief administrative officer of the  
29 religious school and returned to the public school superintendent by

1 the parent. The religious school shall notify the public school  
2 superintendent immediately if the child is no longer enrolled in or  
3 attending the religious school.

4 (c) A religious school that elects to comply with this chapter  
5 shall maintain monthly attendance records for each student enrolled in  
6 the school, shall operate on a regular schedule, excluding reasonable  
7 holidays and vacations, during at least 180 days of the year, and  
8 shall make an annual report to the commissioner of the number of  
9 students in each grade and the school calendar.

10 \* Sec. 6. AS 14.45 is amended by adding new sections to read:

11 Sec. 14.45.035. STANDARDIZED TESTING REQUIREMENTS. (a) A  
12 religious school that elects to comply with this chapter shall admin-  
13 ister a nationally standardized test selected by the chief administra-  
14 tive officer of the religious school to all students enrolled in  
15 grades one, three, six, and nine at least once each school year.

16 (b) The nationally standardized test must measure achievement in  
17 English grammar, reading, spelling, and mathematics.

18 (c) A religious school that elects to comply with this chapter  
19 shall maintain records of the results of the nationally standardized  
20 tests and the records shall be made available to the parent or guar-  
21 dian of the student and to authorized representatives of the state.

22 Sec. 14.45.040. RECORDS. A religious school that elects to  
23 comply with this chapter shall maintain adequate student records,  
24 including records of immunizations, physical examinations, testing,  
25 and courses taken at the religious school.

26 Sec. 14.45.045. DEFINITION. In this chapter, "religious school"  
27 means a school operated by a church or other nonprofit religious  
28 organization that is exempt from federal taxation and does not receive  
29 state or federal funding.

1 \* Sec. 7. AS 44.27.020(1) is amended to read:

2 (1) administer the state's program of education at the  
3 elementary, secondary, and adult levels, including, but not limited  
4 to, programs of vocational education and training, vocational reha-  
5 bilitation, library services, correspondence courses, adult basic  
6 education, and fire-service training, but not including degree pro-  
7 grams of postsecondary education or an educational program operated in  
8 compliance with AS 14.45 by a church or other nonprofit religious  
9 organization that is exempt from federal taxation and does not receive  
10 state or federal funding;

11 \* Sec. 8. AS 14.45.020 is repealed.