

Offered: 6/13/83  
Referred: Rules

Original sponsors: Fritz, Tischer,  
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1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR 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  
11 SOCIAL SERVICES,] exercise general supervision over the educational  
12 component of public and private pre-elementary schools excluding  
13 the educational component of pre-elementary schools operated by a  
14 church or other nonprofit religious organization that is exempt from  
15 federal taxation and does not receive direct state or federal funding  
16 [AND OVER THE EDUCATIONAL COMPONENT OF NURSERIES AS DEFINED IN  
17 AS 47.35.080(4)]; pre-elementary schools in this paragraph means  
18 schools for children ages three through five years when the schools'  
19 primary function is educational;

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

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

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

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

27 (C) except as provided in (D) of this paragraph,  
28 attendance at a private school in which the average student  
29 proficiency is not less than the average proficiency found in the

1 public schools in the area as measured by national achievement  
2 tests; the board of education [DEPARTMENT] with assistance from  
3 representatives of the private schools shall adopt [PROMULGATE]  
4 regulations defining the subject areas to be tested and the  
5 minimum average scores to be achieved; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 direct state or federal funding.

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

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

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