

Offered: 6/23/83

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1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 357 (Rules) am S

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 public and private
12 pre-elementary schools, excluding licensing, and excluding the educa-
13 tional component of pre-elementary schools operated by a church or
14 other nonprofit religious organization that is exempt from federal
15 taxation and does not receive direct state or federal funding [AND
16 OVER THE EDUCATIONAL COMPONENT OF NURSERIES AS DEFINED IN AS 47.35.-
17 080(4)]; pre-elementary schools in this paragraph means schools for
18 children ages three through five years when the schools' primary
19 function is educational; nothing in this paragraph prohibits the
20 department from requiring physical examinations and immunizations in
21 pre-elementary schools under (7) of this section;

22 * Sec. 2. AS 14.07.020(10) is amended to read:

23 (10) accredit private elementary and secondary schools which
24 request accreditation and which meet accreditation standards pre-
25 scribed by regulation by the department; nothing in this paragraph
26 authorizes the department to license private schools operated by a
27 church or other nonprofit religious organization that is exempt from
28 federal taxation and does not receive direct state or federal funding;

29 * Sec. 3. AS 14.30.010(b)(1) is amended to read:

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

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

5 (B) tutoring by personnel certificated according to
6 AS 14.20.020; [OR]

7 (C) except as provided in (D) of this paragraph,
8 attendance at a private school in which the average student
9 proficiency is not less than the average proficiency found in the
10 public schools in the area as measured by national achievement
11 tests; the department with assistance from representatives of the
12 private schools shall adopt [PROMULGATE] regulations defining the
13 subject areas to be tested and the minimum average scores to be
14 achieved; or

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

19 * Sec. 4. AS 14.45 is amended by adding a new section to read:

20 Sec. 14.45.025. EXEMPTION FROM EDUCATION LAWS. A religious
21 school that complies with this chapter is exempt from other provisions
22 of state law and regulations relating to education except laws and
23 regulations relating to physical health, fire safety, sanitation,
24 immunization, and physical examinations.

25 * Sec. 5. AS 14.45.030 is amended to read:

26 Sec. 14.45.030. ATTENDANCE AND ANNUAL REPORTS REQUIRED. (a)
27 Except as provided in (b) and (c) of this section, teachers [TEACHERS]
28 and others in charge of private or denominational schools shall make
29 regular monthly attendance reports and annual reports to the

1 commissioner in the same manner as teachers and superintendents in the
2 public schools.

3 * Sec. 6. AS 14.45.030 is amended by adding new subsections to read:

4 (b) The parent or guardian of a child enrolled in a religious
5 school that complies with this chapter shall file an annual notice of
6 enrollment in the religious school for the child with the local public
7 school superintendent for the area in which the child resides on a
8 form provided by the department. The form shall be signed by the
9 parent and the chief administrative officer of the religious school
10 and returned to the local public school superintendent for the area in
11 which the child resides by the parent. The religious school shall
12 notify the local public school superintendent for the area in which
13 the child resides immediately if the child is no longer enrolled in or
14 attending the religious school.

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

21 * Sec. 7. AS 14.45 is amended by adding new sections to read:

22 Sec. 14.45.035. STANDARDIZED TESTING REQUIREMENTS. (a) A
23 religious school that elects to comply with this chapter shall admin-
24 ister a nationally standardized test selected by the chief administra-
25 tive officer of the religious school from a list of tests compiled by
26 the department to all students enrolled in grades one, three, six, and
27 nine at least once each school year.

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

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

5 Sec. 14.45.040. RECORDS. A religious school that elects to
6 comply with this chapter shall maintain adequate student records,
7 including records of immunizations, physical examinations, testing,
8 and courses taken at the religious school.

9 Sec. 14.45.045. DEFINITION. In this chapter, "religious school"
10 means a school operated by a church or other nonprofit religious
11 organization that is exempt from federal taxation and does not receive
12 direct state or federal funding.

13 * Sec. 8. AS 44.27.020(1) is amended to read:

14 (1) administer the state's program of education at the
15 elementary, secondary, and adult levels, including, but not limited
16 to, programs of vocational education and training, vocational reha-
17 bilitation, library services, correspondence courses, adult basic
18 education, and fire-service training, but not including degree pro-
19 grams of postsecondary education or an educational program operated in
20 compliance with AS 14.45 by a church or other nonprofit religious
21 organization that is exempt from federal taxation and does not receive
22 direct state or federal funding;

23 * Sec. 9. AS 14.45.020 is repealed.