

**HOUSE BILL NO. 500**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE NICHOLIA**

**Introduced: 2/14/94**

**Referred: Health, Education & Social Services, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to educational programs for Alaska Native languages, culture,  
2 and history, to teachers of Alaska Native languages and culture and history, and  
3 to Alaska Native teachers."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* Section 1. AS 14.03 is amended by adding new sections to read:

6 **ARTICLE 2. ALASKA NATIVE LANGUAGE AND**  
7 **CULTURE EDUCATION PROGRAMS.**

8 **Sec. 14.03.210. PROGRAM DESCRIBED. (a) An Alaska Native language**  
9 **and culture education program is a program in an elementary or secondary school that**  
10 **enrolls Alaska Native children. The purpose of the program is to provide an**  
11 **understanding of the language, history, and cultural heritage of the Alaska Native**  
12 **children enrolled in the school. The program shall be designed to**

13 **(1) make the curriculum more relevant to the needs, interests, and**  
14 **cultural heritage of the Alaska Native students;**

1 (2) provide positive reinforcement of the self-image of Alaska Native  
2 students; and

3 (3) develop intercultural awareness among students, parents, and staff.

4 (b) A school district that offers Alaska Native language and culture programs  
5 may enter into contracts for the provision of program components by nonsectarian  
6 schools including nonpublic, community, tribal, or alternative schools. The district  
7 may also include these programs as components of early childhood and family  
8 education programs. The program components may include

9 (1) instruction in Alaska Native language, literature, history, and  
10 culture;

11 (2) development of support components for staff, including in-service  
12 training and technical assistance in methods of teaching Alaska Native students;

13 (3) research projects, including experimentation with and evaluation of  
14 methods of relating to Alaska Native students;

15 (4) provision of personal and vocational counseling to Alaska Native  
16 students;

17 (5) modification of curriculum, instructional methods, and  
18 administrative procedures to meet the needs of Alaska Native students; and

19 (6) establishment of cooperative liaisons with nonsectarian nonpublic,  
20 community, tribal, or alternative schools offering curricula that reflect Alaska Native  
21 culture.

22 Sec. 14.03.220. ENROLLMENT. (a) Enrollment in a program established  
23 under AS 14.03.210 - 14.03.400 may only be voluntary. School districts shall

24 (1) encourage enrollment of Alaska Native children in the programs;

25 (2) encourage the parents of potential enrollees to visit classes or come  
26 to the school for a conference explaining the nature of the programs; and

27 (3) provide visits by school staff to parents' homes to explain the  
28 nature of the programs.

29 (b) To the extent that it is economically feasible, a school district may provide  
30 for the voluntary enrollment of children who are not Alaska Natives in the instructional  
31 components of an Alaska Native language and culture education program so that the

1 children who are not Alaska Natives may acquire an understanding of the cultural  
2 heritage of the Alaska Native children for whom the particular program is designed.

3 (c) Alaska Native children and other children enrolled in a nonpublic school  
4 may be enrolled on a shared time basis in Alaska Native language and culture  
5 education programs.

6 Sec. 14.03.230. LOCATION AND ASSIGNMENT OF STUDENTS. (a) A  
7 school district shall hold programs under AS 14.03.210 - 14.03.400 in facilities in  
8 which regular classes in a variety of subjects are offered on a daily basis.

9 (b) In providing a program under AS 14.03.210 - 14.03.400, a school district  
10 may not assign students to schools in a way that has the effect of segregating students  
11 by race, sex, color, or national origin.

12 Sec. 14.03.240. NONVERBAL COURSES AND EXTRACURRICULAR  
13 ACTIVITIES. In school classes in predominantly nonverbal subjects including art,  
14 music, and physical education, Alaska Native students shall participate fully and on an  
15 equal basis with their contemporaries. A school district participating in a program  
16 under AS 14.03.210 - 14.03.400 shall ensure that children enrolled in the program have  
17 an equal and meaningful opportunity to participate fully with other children in all  
18 extracurricular activities. This section may not be construed to prohibit instruction in  
19 nonverbal subjects or extracurricular activities that relate to the cultural heritage of  
20 Alaska Native children or that are otherwise necessary to accomplish the objectives  
21 described in AS 14.03.210 - 14.03.400.

22 Sec. 14.03.250. ALASKA NATIVE LANGUAGE AND CULTURE  
23 EDUCATION TEACHER CERTIFICATES. (a) The board shall grant teacher  
24 certificates in Alaska Native language and culture education as provided in  
25 AS 14.20.025. The board shall grant a certificate to a person who

26 (1) possesses competence in an Alaska Native language or unique  
27 qualifications relating to, or knowledge and understanding of, Alaska Native history  
28 and culture;

29 (2) possesses a bachelor's degree or other academic degree approved  
30 by the board; or

31 (3) meets other requirements as to course of study and training as the

1 board may prescribe by regulation or possesses the experience required by the board  
2 by regulation.

3 (b) Evidence of a person's qualifications may be presented by affidavits,  
4 resolutions, or other methods as the board may prescribe. A person may present an  
5 application on the person's own behalf, or the superintendent or other authorized  
6 official of a school district may submit an application on behalf of the person.

7 (c) A person who holds a standard teaching certificate who presents the board  
8 with satisfactory evidence of competence in an Alaska Native language, or knowledge  
9 and understanding of Alaska Native history and culture, may be certificated under this  
10 section.

11 (d) The board may approve programs at colleges or universities designed for  
12 training teachers of Alaska Native language and culture.

13 Sec. 14.03.260. EMPLOYMENT OF TEACHERS. (a) A school district may  
14 not use the employment of a teacher in an Alaska Native language and culture program  
15 as grounds for the replacement of a teacher who otherwise would not be replaced.

16 (b) A person certificated under AS 14.03.250 is eligible for employment as a  
17 teacher in an Alaska Native language and culture education program that includes  
18 instruction in the language or culture in which the person holds a certificate. A school  
19 district may adopt only those additional qualifications for teachers certificated under  
20 this section as are approved by the board. The commissioner may permit a school  
21 board that applies for an exemption from the certification requirements of  
22 AS 14.03.250 - 14.03.260 to hire one or more uncertificated teachers for a program for  
23 a school year if the commissioner finds that compliance would create a hardship in  
24 securing teachers for the program.

25 (c) A teacher holding a certificate or exemption under this section shall be  
26 compensated according to a schedule that is at least equivalent to the schedule  
27 applicable to teachers holding standard teaching certificates.

28 (d) In hiring for a position in a program, the school district shall give  
29 preference to and make affirmative efforts to seek, recruit, and employ persons who  
30 share the culture of the Alaska Native children who are enrolled in the program. The  
31 district shall provide procedures to involve the parent committees established under

1 AS 14.03.290 in designing the procedures for the recruitment, screening, and selection  
2 of applicants. However, this subsection may not be construed to limit the school  
3 board's authority to hire and discharge personnel.

4 **Sec. 14.03.270. TEACHERS' AIDES; COMMUNITY COORDINATORS. (a)**

5 In addition to employing Alaska Native language and culture education teachers, a  
6 school district providing a program under AS 14.03.210 - 14.03.400 may employ  
7 teachers' aides. However, aides may not be employed to supplant Alaska Native  
8 language and culture education teachers.

9 (b) A school district that conducts Alaska Native language and culture  
10 education programs under AS 14.03.210 - 14.03.400 may employ a community  
11 coordinator to promote communication, understanding, and cooperation between the  
12 schools and the community. The coordinator's activities may include visiting the  
13 homes of children who are to be enrolled in a program in order to convey information  
14 about the program.

15 **Sec. 14.03.280. PARENT AND COMMUNITY PARTICIPATION. (a)**

16 School boards shall provide for the maximum involvement of parents of the children  
17 enrolled in the programs. The school board of a school district in which there are 10  
18 or more Alaska Native children enrolled shall establish a parent committee. If a  
19 committee of parents of Alaska Native children that meets the requirements of this  
20 section has been established according to federal, tribal, or other state law, the  
21 committee shall serve as the committee required by this section.

22 (b) The parent committee shall give parents the information and the  
23 opportunity to express their views effectively concerning all aspects of Alaska Native  
24 education and the educational needs of the Alaska Native children enrolled in the  
25 school or program. The committee shall also address the need for adult education  
26 programs for Alaska Native people in the community. The school board shall ensure  
27 that programs are planned, operated, and evaluated with the involvement of and in  
28 consultation with parents of children served by the programs.

29 (c) Each year by December 1, the school board shall submit to the department  
30 a copy of a resolution adopted by the parent committee. The copy must be signed by  
31 the chair of the committee and must state whether the committee concurs with the

1 education programs for Alaska Native children offered by the school board. If the  
2 committee does not concur with the education programs, the committee shall submit  
3 the reasons for nonconcurrence and its recommendations for changes with the  
4 resolution. In cases of nonconcurrence, the school board shall respond, by resolution,  
5 to each recommendation made by the committee and, if it fails to implement a  
6 recommendation of the committee, state its reasons for declining implementation.

7 (d) A parent committee shall be composed of parents of children eligible to  
8 be enrolled in Alaska Native education programs, secondary students eligible to be  
9 served by the programs, Alaska Native language and culture education teachers and  
10 teachers' aides, teachers who are of Alaska Native heritage, counselors, adult Alaska  
11 Native people enrolled in educational programs, and representatives from community  
12 groups. A majority of each committee shall be made up of parents of children  
13 enrolled or eligible to be enrolled in the programs. The proportion of parents of  
14 Alaska Native children to parents of children who are not Alaska Native children shall  
15 approximately reflect the proportion of children of those groups enrolled in the  
16 programs.

17 Sec. 14.03.290. DUTIES OF THE BOARD AND THE COMMISSIONER.

18 (a) In the formulation of the policy and procedures relating to the administration of  
19 AS 14.03.210 - 14.03.400, the board shall provide for the maximum involvement of  
20 parents of Alaska Native children, secondary students eligible to be served by the  
21 programs, Alaska Native language and culture education teachers and teachers' aides,  
22 teachers who are of Alaska Native heritage, representatives of community groups, and  
23 persons knowledgeable in the field of Alaska Native education.

24 (b) The commissioner shall provide technical assistance to school districts,  
25 schools, and post-secondary institutions for preservice and in-service training for  
26 Alaska Native education teachers and teachers' aides, teaching methods, curriculum  
27 development, testing and testing mechanisms, and the development of materials for  
28 Alaska Native education programs.

29 (c) The commissioner shall apply for money that may be available under  
30 federal programs for Alaska Native education, including funds for administration,  
31 demonstration projects, training, technical assistance, planning, and evaluation.

1                   **Sec. 14.03.400. DEFINITIONS.** In AS 14.03.210 - 14.03.400,

2                   (1) "program" means an Alaska Native language and culture education  
3 program established under AS 14.03.210 - 14.03.400;

4                   (2) "school district" means a city or borough school district or a  
5 regional educational attendance area.

6   \* **Sec. 2.** AS 14.20.025 is amended to read:

7                   **Sec. 14.20.025. OTHER TEACHER CERTIFICATES.** Notwithstanding  
8 AS 14.20.020(b), a person may be issued a limited certificate, valid only in the area  
9 of expertise for which it is issued, to teach [ALASKA NATIVE LANGUAGE OR  
10 CULTURE,] military science [,] or a vocational or technical course for which the  
11 board determines by regulation that baccalaureate degree training is not sufficiently  
12 available. A limited certificate may be issued under this subsection [SECTION] only  
13 if the school board of the district or regional educational attendance area in which the  
14 person will be teaching, through the chief school administrator, has requested its  
15 issuance. A person who applies for a limited certificate shall demonstrate, as required  
16 by regulations adopted by the board, instructional skills and subject matter expertise  
17 sufficient to ensure the public that the person is competent as a teacher. The board  
18 may require a person issued a limited certificate to undertake academic training as may  
19 be required by the board by regulation and make satisfactory progress in the academic  
20 training.

21   \* **Sec. 3.** AS 14.20.025 is amended by adding a new subsection to read:

22                   (b) In accordance with AS 14.03.250 - 14.03.260 and notwithstanding  
23 AS 14.20.020(b) or (h), a person may be issued a certificate, valid only in the area of  
24 expertise for which it is issued, to teach an Alaska Native language or Alaska Native  
25 history and culture. A teacher who holds a certificate under this subsection is  
26 considered a certificated teacher for purposes of the teachers' retirement system. A  
27 certificate issued under this subsection is considered a standard teaching certificate for  
28 purposes of acquiring tenure under AS 14.20.150.

29   \* **Sec. 4.** AS 14.20 is amended by adding a new section to read:

30                   **Sec. 14.20.135. RECRUITING ALASKA NATIVE TEACHERS.** A school  
31 district in which there are at least 10 Alaska Native students enrolled shall actively

1 recruit teacher applicants who are Alaska Native beginning from the time it is  
2 reasonably expected that a position will become available until the position is filled  
3 or September 1, whichever is earlier.