

HOUSE CS FOR CS FOR SENATE BILL NO. 312(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/20/94

Referred: Finance

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the school term, school construction grants and to
2 interscholastic school activities; relating to a pilot project for state aid for special
3 education; and providing for an effective date."

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

5 * Section 1. AS 14.11.013(c) is amended to read:

6 (c) The department may

7 (1) modify a project request when necessary to achieve cost-
8 effective school construction;

9 (2) require that a school construction project be phased for
10 purposes of planning, design, and construction; and

11 (3) reject project requests and omit them from the six-year schedule due

12 to

13 (A) [(1)] incomplete information or documentation provided by

14 the district;

1 (B) [(2)] a determination by the department that existing
2 facilities can adequately serve the program requirements, or that alternative
3 projects are in the best interests of the state;

4 (C) [(3)] a determination that the project is not in the best
5 interest of the state.

6 * Sec. 2. Section 3 of ch. 33, SLA 1991, is amended to read:

7 Sec. 3. AS 14.03.030 is repealed and reenacted to read:

8 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on the dates
9 fixed by the governing body of a school district. A school term shall include not less
10 than 180 days in session, unless with the approval of the commissioner,

11 (1) a day used for in-service training of teachers is substituted for a day
12 in session, up to a maximum of 10 days;

13 (2) an "emergency closure day" is substituted for a day in session
14 because of conditions posing a threat to the health or safety of students; [OR]

15 (3) a school board adopts a school term of not less than 150 days for
16 a school if the commissioner finds that

17 (A) the shorter term is necessary for abating [ASBESTOS]
18 health hazards in the school; and

19 (B) the school board has submitted an acceptable plan under
20 which students will receive the approximate educational equivalent of a 180-
21 day term; or

22 (4) the school board adopts a school term of not less than 170 days
23 for a school if the commissioner finds that the school board has submitted an
24 acceptable plan under which students will receive the approximate educational
25 equivalent of a 180-day term.

26 * Sec. 3. AS 14.03.030 is repealed and reenacted to read:

27 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on the dates
28 fixed by the governing body of a school district. A school term shall include not less
29 than 180 days in session, unless with the approval of the commissioner,

30 (1) a day used for in-service training of teachers is substituted for a day
31 in session, up to a maximum of 10 days;

1 (2) an "emergency closure day" is substituted for a day in session
2 because of conditions posing a threat to the health or safety of students; or

3 (3) a school board adopts a school term of not less than 150 days for
4 a school if the commissioner finds that

5 (A) the shorter term is necessary for abating health hazards in
6 the school; and

7 (B) the school board has submitted an acceptable plan under
8 which students will receive the approximate educational equivalent of a 180-
9 day term.

10 * Sec. 4. AS 14.17.045 is amended by adding new subsections to read:

11 (c) Notwithstanding (a) of this section, the commissioner may distribute
12 foundation aid money allocated under this section to a district to fund a special
13 education pilot project in the state if

14 (1) the project is designed to demonstrate appropriate alternative
15 methods to meet the educational needs of

16 (A) students who would otherwise receive resource and self-
17 contained services and generate funding at those levels; or

18 (B) students who in the district's opinion are likely to be
19 referred for special education services;

20 (2) the amount to be annually distributed to a district for
21 implementation of a pilot project is

22 (A) in place of the instructional units that the district could have
23 claimed under (a) of this section for the provision of resource and self-
24 contained services; and

25 (B) equal to the amount that the district would have received
26 under (a) of this section if it had counted the same percentage of its students
27 for resource and self-contained services as it counted on the last day of the
28 most recent counting period before the pilot project was approved;

29 (3) the pilot project does not exceed three years;

30 (4) the total number of pilot projects approved under this section does
31 not exceed four in the state at any one time;

1 (5) the project complies with the requirements of federal law, including
2 20 U.S.C. 1400 - 1485 (Individuals with Disabilities Education Act);

3 (6) the district proposing the project provides details of how students
4 shall be educated and how student achievement shall be measured; and

5 (7) the commissioner finds that the project is in the best interests of the
6 students and the state.

7 (d) Special education for children requiring intensive services shall be funded
8 under (a) of this section. Nothing in this subsection prevents a district from providing
9 intensive services in an innovative manner and in the least restrictive environment.

10 * Sec. 5. AS 14.07.058 and 14.07.059 are repealed.

11 * Sec. 6. Section 3 of this Act takes effect July 1, 1997.

12 * Sec. 7. Except as provided in sec. 6 of this Act, this Act takes effect July 1, 1994.