

SBIB2

SENATE FINANCE COMMITTEE REPORT

DATE: 3/13/91

FURTHER:

DATE TURNED INTO OFFICE: 4/17/91

The Finance Committee considered SENATE BILL NO. 132

"An Act relating to the school term."

and recommended:

- replace with _____ CS _____ same title
- or adopt _____ CS _____ new title
- attached amendment(s) technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S): Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

fiscal note(s) _____ Dept/Date:

zero fiscal note(s) DOE 2/21/91

SIGNING DO PASS:

[Handwritten signatures]

OTHER RECOMMENDATIONS:

Al Adams - Do NOT Pass
Lyman Hyatt - No Rec
Dick Strubbe - No Rec

1. *[Signature]*

2. _____

Co-Chairs: Signatures and Recommendations

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SB132

Revision Date: _____ Department Affected: Education
 Title: School Term BRU: K-12 Support
 Component: Foundation
 Sponsor: Fischer
 Requestor: Fischer COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS. CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Mary Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 2/21/91
 Approved by Commissioner: Steve Hole, Acting Commissioner
 Agency: Education Date: 2/21/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SENATE BILL NO. 132

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR FISCHER

Introduced: 2/19/91
 Referred: HES and Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the school term."

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

3 * Section 1. AS 14.03.030 is amended to read:

4 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on the dates fixed by
 5 the governing body of a school district. A school term shall include not less than 180 days in
 6 session, unless [EXCEPT THAT], with the approval of the commissioner,

7 (1) a day used for in-service training of teachers is [MAY BE] substituted for a
 8 day in session, up to a maximum of 10 days;

9 (2) an "emergency closure day" is [MAY BE] substituted for a day in session
 10 because of conditions posing a threat to the health or safety of students; or [AND]

11 (3) a school board adopts [MAY ADOPT] a school term of not less than 150
 12 days for abating asbestos health hazards in the school, or not less than 160 days for other
 13 purposes, and [A SCHOOL IF] the commissioner finds that

14 (A) the shorter term is necessary; [FOR ABATING ASBESTOS HEALTH

1 HAZARDS IN THE SCHOOL; AND]

2 (B) the school board has submitted an acceptable plan under which
3 students will receive the approximate educational equivalent of a 180-day term; and

4 (C) the school board has exhausted all other remedies that would have
5 allowed retention of a 180-day school term.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

May 16, 1990

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. II, sec. 15, of the Alaska Constitution, I have vetoed the following bill:

HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 171 (HESS)
(Relating to the school term.)

This bill would have amended AS 14.03.030 (Length of School Term). Under the language of the bill, the Commissioner of Education has the authority to approve a school term of "not less than 160 days" for any reason, if requested by a local board. The original language of AS 14.03.030 allows a shorter term only when student health or safety is threatened.

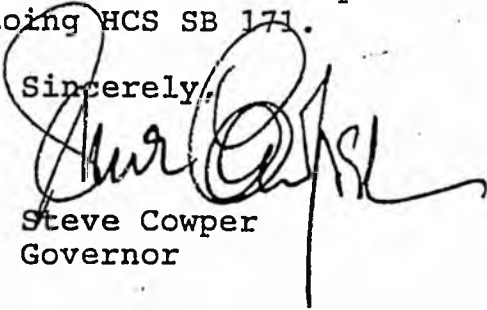
I understand that the legislation was directed at meeting the unique needs of a very small number of schools. In attempting to accommodate the needs of these few students, the legislation grants unusually broad powers to the commissioner in an area which should be of concern to state policy makers.

We know that a significant reason for lower school achievement in this country is the relatively short school term compared with other industrialized nations. In addition, Alaska's statute is already more liberal than many other states in allowing in-service training days to be counted as part of the 180-day school year. Many states insist that the mandatory school term be made up of instructional days, with in-service days added to the total. It is possible that under the new language some districts will pressure for shorter terms to accommodate particular life styles. While sensitivity to community needs is necessary, a shorter school term merely exacerbates the problem of relatively poor student

achievement in many areas of our state, as evidenced by the recent statewide assessment results.

The current statute allows for a shorter school term under emergency situations. To allow a shorter school term for any other, less compelling reason would penalize our students. I am therefore vetoing HCS SB 171.

Sincerely,



Steve Cowper
Governor

Alaska State Legislature

Senator Paul Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269



State Senate

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3791

MEMORANDUM

TO: Senator Pat Pourchot, Co-Chairman
Senate Finance Committee

FROM: Senator Paul Fischer *PAF/sgn*

SUBJECT: Senate Bill 132
(length of the school term)

DATE: March 12, 1991

In preparation of your bill schedule for next week, I would appreciate your scheduling the above referenced bill for a hearing before the Senate Finance Committee. Senate Bill 132 passed out of the Senate Health, Education and Social Services Committee this morning.

As a you are aware, this subject has been before us before. Last session it was passed by both bodies of the legislature; however, it was ultimately vetoed by the Governor Cowper. Senate Bill 132 is identical to HCS Senate Bill 171 (HESS) from last session.

Certain children in the state presently receive less than the standard 180 days of instruction that is mandated by law. Some of these absences are attributed to subsistence lifestyles of parents during hunting and fishing periods, as well as commercial fishing openings. In turn, children lose valuable educational opportunities and schools just indicate the children as being absent. This legislation simply gives a local school board the discretion to adjust the school day to accomodate the different lifestyle needs as well as allow for other situations that might cause a closure of a school.

Current law presently allows for adjustments of the school term for correction of asbestos problems. Other conditions that may arise to force a closure would be frozen pipes, flooding, or volcanic eruptions as experienced on the Kenai peninsula just last year.


I have attached back up information for the committee files.

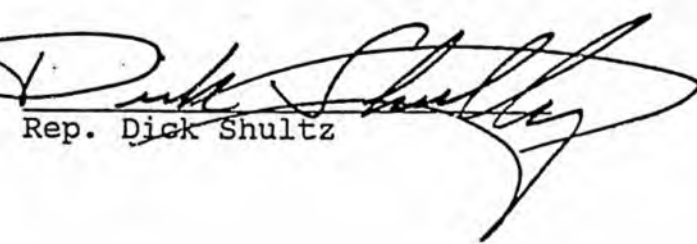
Your consideration would be greatly appreciated.

PAF/sgn
Attachments

SUBCOMMITTEE REPORT ON SB 171

The House Finance Subcommittee on SB 171 met on February 13, 1990 at 1 p.m., to consider SB 171 and the question that the Finance Committee had directed it to answer: whether the Commissioner of Education currently has the ability to authorize an extension of the length of the school day to satisfy school term requirements. Two of three members were present, Rep. Koponen, chair and Rep. Schultz. Rep. Ulmer was excused due to illness. According to Steve Hole, Department of Education (memo attached), the Commissioner currently has the authority to approve emergency closure days (AS 14.03.030), but the Commissioner does not presently have the authority to authorize districts to make up missed days by extending the number of hours in the school days. The Department of Education and the subcommittee supports this legislation which would add such a provision into law.


Rep. Niilo Koponen, Chair


Rep. Dick Schultz

SB 132

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

GOLDBELT PLACE
801 WEST 10TH STREET
P.O. BOX F
JUNEAU, ALASKA 99811-0500

February 7, 1990

The Honorable Niilo Koponen
Alaska State Representative
P.O. Box V
Juneau, Alaska 99811-0500

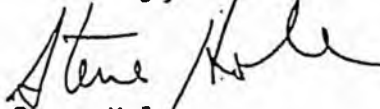
Dear Representative Koponen:

For the record, and as I have testified before other legislative committees on House CS SB-171 (HESS), our interpretation of the bill is that under its provisions, a school board can provide for a school term of less than 180 days, but with extended days in session, and meet the requirement of "... the approximate educational equivalent of a 180 day term..."

The above interpretation is subject to the approval of the commissioner of the plan required by lines 24-26 of this bill, which is also existing law.

The Department supports the bill, and while it would be our intention to implement its provisions in a manner which affords districts flexibility to adjust to exigencies, it also would be our intent to assure that the level of instruction provided under a plan is both academically and age appropriate.

Sincerely,



Steve Hole
Deputy Commissioner

PLEASE MICROFILM TOP PAGE ONLY

**DOCUMENTS WHICH HAVE NOT BEEN FILMED BUT ARE
AVAILABLE IN THE ORIGINAL FILE INCLUDE:**

CORRESPONDENCE IN SUPPORT OF SB 132 FROM:

- 1. NEA-ALASKA, 4/16/91**
- 2. NIKOLAEVSK, KENAI PENINSULA BOROUGH
SCHOOL DISTRICT, 1/30/89**
- 3. ACSA, (UNDATED POSITION STATEMENT)**