

HB

156

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 156

Revision Date: _____

Department Affected: Education

Title: Student Access to School Programs

BRU: Executive Administration

Component: Commissioner's Office

Sponsor: House HESS Committee by request

Requester: House HESS Committee

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

House Bill 156 requires school districts to allow a home schooled student to participate in the district's extracurricular activities such as drama, music, band, debate, and athletic activities. The legislation will have no fiscal impact on the department. However, individual school districts may incur additional costs associated with the legislation.

Prepared by: Sheila Peterson, Special Assistant Phone: 465-2803

Division: Commissioner's Office Date: April 11, 1995

Approved by Commissioner: *Shirley J. Holloway* Shirley J. Holloway, Ph. D.

Agency: Education Date: April 11, 1995

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January 2, 1994

Thank you for assisting in an education issue that affects many students within the state of Alaska. Students who subscribe to State of Alaska issued Centralized Correspondence School (CCS), Private-school students, and independent Home-schooled curriculum students are denied access to public school co-curricular programs. These valuable programs include drama, debate, music, band, and team sporting events.

At this time many education alternatives exist. The Anchorage School District offers education alternatives such as the ABC back-to-basics elementary programs, foreign language emersion, school-within-a-school, and the Stellar and Polar alternatives. Students who attend district sponsored alternatives are allowed complete access to co-curricular programs at the school of their choice.

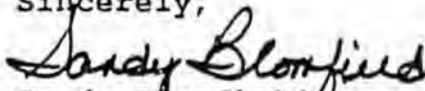
The discriminatory practice of locking-out students not enrolled in the public education system fosters a system of education that allows complacency and mediocrity. Competition in any monopoly is healthy and can assist in providing the best possible education for Alaskan students.

The State of Alaska Department of Education has held public hearings on this issue. The regulatory agency Alaska School Activities Association (ASAA) and the Anchorage School district strive to enforce rules and regulations that prevent private, home-schooled, and CCS students from participation.

Legislation needs to be enacted to provide equal access to all programs for all students regardless of enrollment. For your reference I am enclosing legislation from Oregon, Washington, and Colorado that allows equal access.

Your assistance is greatly appreciated. I will be available at your convenience for further discussion.

Sincerely,



Sandy Blomfield
7610 Wildwood Circle
Anchorage, AK 99516
346-2738 Home
244-5766 Mobile

AN ACT

SENATE BILL 93-198

BY SENATORS Wells, Bishoo, Hopper, Nutzebaugh, L. Powers, Roberts,
and Tebedo;
also REPRESENTATIVES Foster, Chlouber, Faatz, Friednash, Jerke,
Martin, Morrison, and Reaser.

CONCERNING PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES IN PUBLIC
SCHOOLS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 32 of title 22, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-114.5. Interscholastic activities. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR ANY POLICY OR RULE OF ANY RECOGNIZED ASSOCIATION OF SCHOOLS WHICH ORGANIZES AND CONTROLS SANCTIONED INTERSCHOLASTIC ACTIVITIES, A STUDENT ENROLLED IN THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE SHALL BE ALLOWED TO PARTICIPATE IN AN INTERSCHOLASTIC ACTIVITY SPONSORED IN ANY OTHER SCHOOL WITHIN SAID SCHOOL DISTRICT OR AT ANY SCHOOL IN A SCHOOL DISTRICT WHICH HAS BOUNDARIES CONTIGUOUS TO THE BOUNDARIES OF THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE IF THE SCHOOL IN WHICH THE STUDENT IS ENROLLED DOES NOT SPONSOR THAT PARTICULAR INTERSCHOLASTIC ACTIVITY AND IF THE STUDENT OTHERWISE MEETS THE SCHOOL'S ELIGIBILITY REQUIREMENTS FOR PARTICIPATION. ANY STUDENT PARTICIPATING IN AN INTERSCHOLASTIC ACTIVITY PURSUANT TO THE PROVISIONS OF THIS SECTION MAY BE REQUIRED TO PAY A FEE AS A PREREQUISITE TO SUCH PARTICIPATION.

(2) THE PROVISIONS OF THIS SECTION ARE INTENDED TO ALLOW STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES WHO WOULD OTHERWISE BE DENIED THE OPPORTUNITY TO DO SO AND ARE NOT INTENDED

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and

TO SANCTION OR ENCOURAGE THE RECRUITMENT OF STUDENTS FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES BY SCHOOLS OR SCHOOL DISTRICTS.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Tom Norton

Tom Norton
PRESIDENT OF
THE SENATE

Charles E. Barry

Charles E. Barry
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John H. Albi

John H. Albi
SECRETARY OF
THE SENATE

Lee C. Barney

Lee C. Barney
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED April 12, 1993 at 2:26 P.M.

Roy Roberts

Roy Roberts
GOVERNOR OF THE STATE OF COLORADO

First Regular Session

Fifty-ninth General Assembly

LLS NO. 93-0297.01 jr

SENATE BILL 93-

140

STATE OF COLORADO

EDUCATION

*Assigned
Stewart*

BY SENATORS Ruddick and Owens;
also REPRESENTATIVE Hagedorn.

A BILL FOR AN ACT

101 CONCERNING SCHOOL ATTENDANCE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Provides that parents shall be responsible for their children's attendance at public school. Provides that home-based students who participate in school interscholastic activities may be counted for purposes of determining pupil enrollment upon fulfillment of certain conditions. Permits boards of education to deny admission to or expel a child for one year with adequate reasons. Authorizes boards of education to delegate to school principals the power to suspend a pupil for up to 10 days for having a weapon on school grounds. Specifies that behavior on or off school property may be grounds for suspension or expulsion. Includes carrying and bringing a deadly weapon on school grounds as reasons for suspension or expulsion. Empowers boards of education to impose a civil penalty of \$25 per unexcused absence upon parents after their children accumulate more than 4 unexcused absences in one month or more than 10 unexcused absences in one school year. Requires boards of education to implement policies and procedures concerning children with such multiple unexcused absences. Provides that money collected through imposition of the civil penalty shall go to the school district for use in encouraging and enforcing parental responsibility for school attendance.

- 1 Be it enacted by the General Assembly of the State of Colorado:
- 2 SECTION 1. 22-33-104, Colorado Revised Statutes, 1985 Repl.
- 3 Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:
- 4 22-33-104. Compulsory school attendance. (5) (a) THE

1 GENERAL ASSEMBLY HEREBY DECLARES THAT TWO OF THE MOST IMPORTANT
 2 FACTORS IN ENSURING A CHILD'S EDUCATIONAL DEVELOPMENT ARE PARENTAL
 3 INVOLVEMENT AND PARENTAL RESPONSIBILITY. THE GENERAL ASSEMBLY
 4 FURTHER DECLARES THAT IT IS THE OBLIGATION OF EVERY PARENT TO
 5 ENSURE THAT EVERY CHILD UNDER SUCH PARENT'S CARE AND SUPERVISION
 6 RECEIVES ADEQUATE EDUCATION AND TRAINING. THEREFORE, EVERY PARENT
 7 OF A CHILD WHO HAS ATTAINED THE AGE OF SEVEN YEARS AND IS UNDER THE
 8 AGE OF SIXTEEN YEARS SHALL ENSURE THAT SUCH CHILD ATTENDS THE
 9 PUBLIC SCHOOL IN WHICH SUCH CHILD IS ENROLLED IN COMPLIANCE WITH
 10 THIS SECTION.

11 (b) PARENTS WHOSE CHILDREN ARE ENROLLED IN AN INDEPENDENT
 12 OR PAROCHIAL SCHOOL OR A NON-PUBLIC HOME-BASED EDUCATIONAL PROGRAM
 13 PURSUANT TO THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION SHALL
 14 BE EXEMPT FROM THE REQUIREMENTS OF THIS SUBSECTION (5).

15 SECTION 2. 22-33-104.5 (6), Colorado Revised Statutes, 1988
 16 Repl. Vol., is amended to read:

17 22-33-104.5. Home-based education - legislative declaration
 18 - definitions - guidelines. (6) (a) If a child is participating
 19 in a non-public home-based educational program but also attending
 20 his local school district of residence for a portion of the school
 21 day, the local school district of residence shall be entitled to
 22 count such child in accordance with the provisions of section
 23 22-53-103 (7) for purposes of determining pupil enrollment under
 24 the "Public School Finance Act of 1988", article 63 of this title.

25 (b) FOR PURPOSES OF THIS SUBSECTION (6), A CHILD WHO IS
 26 PARTICIPATING IN A NON-PUBLIC HOME-BASED EDUCATIONAL PROGRAM AND

1 WHO PARTICIPATES IN ANY INTERSCHOLASTIC ACTIVITY OF THE LOCAL
2 SCHOOL DISTRICT OF RESIDENCE INCLUDING, 'BUT NOT LIMITED TO,
3 ATHLETICS, MUSIC, SPEECH, AND OTHER RELATED ACTIVITIES, SHALL BE
4 CONSIDERED ATTENDING HIS LOCAL SCHOOL DISTRICT OF RESIDENCE FOR A
5 PORTION OF THE SCHOOL DAY PROVIDED THE CHILD:

6 (I) IS IN COMPLIANCE WITH ALL LAWS GOVERNING NON-PUBLIC
7 HOME-BASED EDUCATION;

8 (II) MEETS ALL OF THE PUBLIC SCHOOL DISTRICT'S ELIGIBILITY
9 REQUIREMENTS FOR PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITY,
10 EXCEPT FOR CLASS ATTENDANCE REQUIREMENTS OF THE SCHOOL DISTRICT OR
11 ANY RECOGNIZED ASSOCIATION OF SCHOOLS ORGANIZING AND CONTROLLING
12 THE INTERSCHOLASTIC ACTIVITIES;

13 (III) HAS NOT BEEN RULED ACADEMICALLY INELIGIBLE TO
14 PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES WHILE A PUBLIC SCHOOL
15 STUDENT WITHIN THE LAST TWO YEARS;

16 (IV) FULFILLS THE SAME RESPONSIBILITIES AND STANDARDS OF
17 BEHAVIOR AND PERFORMANCE, INCLUDING RELATED CLASSROOM OR PRACTICE
18 REQUIREMENTS, AS OTHER STUDENTS PARTICIPATING IN THE
19 INTERSCHOLASTIC ACTIVITY OF THE TEAM, SQUAD, OR GROUP, AND MEETS
20 THE SAME STANDARDS FOR PARTICIPATION WITH THE TEAM, SQUAD, OR
21 GROUP; AND

22 (V) RESIDES WITHIN THE ATTENDANCE BOUNDARIES OF THE SCHOOL
23 WITH WHICH THE CHILD PARTICIPATES.

24 SECTION 3. 22-33-105 (2) (a) and (2) (c), Colorado Revised
25 Statutes, 1988 Repl. Vol., are amended to read:

26 22-33-105. Suspension, expulsion, and denial of admission.

1 (2) In addition to the powers provided in section 22-32-110, the
2 board of education of each district may:

3 (a) Delegate to any school principal within the school
4 district or to a person designated in writing by the principal the
5 power to suspend a pupil in his school for not more than five
6 school days on the grounds stated in section ~~22-33-106~~ 22-33-106
7 (1) (a), (1) (b), (1) (c), OR (1) (e) OR NOT MORE THAN TEN SCHOOL
8 DAYS ON THE GROUNDS STATED IN SECTION 22-33-106 (1) (d); and

9 (c) Deny admission to, or expel for any period not extending
10 beyond ~~the end of the school~~ ONE year, any child whom the board of
11 education, in accordance with the limitations imposed by this
12 article, shall determine does not qualify for admission to, or
13 continued attendance at, the public schools of the district. A
14 board of education may delegate such powers to its executive
15 officer; but, at its next meeting, the latter shall report on each
16 case acted upon, briefly describing the circumstances and the
17 reasons for his action. When delegated, an appeal may be taken
18 from the decision of the executive officer to the board of
19 education. No board of education shall deny admission to, or
20 expel, any child without a hearing, if one is requested by the
21 parent of the child, at which evidence may be presented in his
22 behalf. If the child is denied admission or expelled, he shall be
23 entitled to a review of the decision of the board of education in
24 accordance with section 22-33-108.

25 SECTION 4. 22-33-106 (1) (c) and (1) (d), Colorado Revised
26 Statutes, 1988 Repl. Vol., are amended, and the said 22-33-106 (1)

1 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

2 22-33-106. Grounds for suspension, expulsion, and denial of
3 admission. (1) The following shall be grounds for suspension or
4 expulsion of a child from a public school during a school year:

5 (c) Behavior ON OR OFF SCHOOL PROPERTY which is detrimental
6 to the welfare, safety, or morals of other pupils or of school
7 personnel;

8 (d) Serious violations in a school building or in or on
9 school property, including, but not limited to, ~~the possession of~~
10 CARRYING, BRINGING, OR POSSESSING a deadly weapon as defined in
11 section 18-1-901 (3) (e), C.R.S., the sale of a drug or controlled
12 substance as defined in section 12-22-303, C.R.S., or the
13 commission of an act which if committed by an adult would be
14 robbery pursuant to part 3 of article 4 of title 18, C.R.S., or
15 assault pursuant to part 2 of article 3 of title 18, C.R.S., which
16 suspension or expulsion shall be mandatory;

17 (e) REPEATED INTERFERENCE WITH A SCHOOL'S ABILITY TO PROVIDE
18 EDUCATIONAL OPPORTUNITIES TO OTHER STUDENTS.

19 SECTION 5. 22-33-107, Colorado Revised Statutes, 1988 Repl.
20 Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

21 22-33-107. Enforcement of compulsory school attendance.
22 (3) (a) THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT, BY AND
23 THROUGH THE ATTENDANCE OFFICER FOR EACH DISTRICT, MAY IMPOSE A
24 CIVIL PENALTY ON EVERY PARENT WHO KNOWINGLY FAILS TO COMPLY WITH
25 THE PROVISIONS OF SECTION 22-33-104 (5). SUCH CIVIL PENALTY SHALL
26 NOT EXCEED TWENTY-FIVE DOLLARS FOR EACH UNEXCUSED ABSENCE, AS

1 DEFINED BY THE BOARD OF EDUCATION OF THE SCHOOL DISTRICT IN WHICH
2 THE CHILD IS ENROLLED, ATTRIBUTABLE TO A CHILD WHO IS THE
3 RESPONSIBILITY OF SUCH PARENT AFTER THE PARENT RECEIVES NOTICE FROM
4 THE PUBLIC SCHOOL WHERE SUCH CHILD IS ENROLLED THAT SUCH CHILD IS
5 HABITUALLY TRUANT, AS DEFINED IN THIS SUBSECTION (3). NO CIVIL
6 PENALTY MAY BE IMPOSED UNLESS THE PARENT UPON WHOM SUCH PENALTY IS
7 IMPOSED HAS RECEIVED NOTICE OF SUCH IMPOSITION FROM THE BOARD OF
8 EDUCATION AND THE OPPORTUNITY FOR A HEARING BEFORE THE BOARD AT
9 WHICH EVIDENCE MAY BE PRESENTED ON SUCH PARENT'S BEHALF. IF A
10 CIVIL PENALTY IS IMPOSED, SUCH PARENT SHALL BE ENTITLED TO A REVIEW
11 OF THE DECISION OF THE BOARD OF EDUCATION IN ACCORDANCE WITH
12 SECTION 22-33-108.

13 (b) AS USED IN THIS SUBSECTION (3), A CHILD WHO IS
14 "HABITUALLY TRUANT" MEANS A CHILD WHO HAS ATTAINED THE AGE OF SEVEN
15 YEARS AND IS UNDER THE AGE OF SIXTEEN YEARS HAVING FOUR UNEXCUSED
16 ABSENCES FROM PUBLIC SCHOOL IN ANY ONE MONTH OR TEN UNEXCUSED
17 ABSENCES FROM PUBLIC SCHOOL DURING ANY SCHOOL YEAR. ABSENCES DUE
18 TO SUSPENSION OR EXPULSION OF A CHILD SHALL BE CONSIDERED EXCUSED
19 ABSENCES FOR THE PURPOSES OF THIS SUBSECTION (3).

20 (c) THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT SHALL
21 ADOPT AND IMPLEMENT POLICIES AND PROCEDURES CONCERNING CHILDREN WHO
22 ARE HABITUALLY TRUANT WHO ARE ENROLLED IN PUBLIC SCHOOLS UNDER THE
23 JURISDICTION OF SUCH BOARD OF EDUCATION. SUCH POLICIES AND
24 PROCEDURES MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

25 (1) REQUIRING A MEETING BETWEEN THE PARENT OF THE CHILD WHO
26 IS HABITUALLY TRUANT AND APPROPRIATE SCHOOL PERSONNEL TO REVIEW AND

1 EVALUATE THE REASONS FOR THE CHILD BEING HABITUALLY TRUANT, SUCH
2 MEETING TO BE HELD NOT LATER THAN TEN SCHOOL DAYS AFTER THE CHILD'S
3 FOURTH UNEXCUSED ABSENCE IN A MONTH OR TENTH UNEXCUSED ABSENCE IN
4 A SCHOOL YEAR;

5 (II) ANNUALLY AT THE BEGINNING OF THE SCHOOL YEAR AND UPON
6 ANY ENROLLMENT DURING THE SCHOOL YEAR, NOTIFYING THE PARENT OF EACH
7 CHILD ENROLLED IN THE PUBLIC SCHOOLS IN WRITING OF SUCH PARENT'S
8 OBLIGATIONS PURSUANT TO SECTION 22-33-104 (5);

9 (III) ANNUALLY AT THE BEGINNING OF THE SCHOOL YEAR AND UPON
10 ANY ENROLLMENT DURING THE SCHOOL YEAR, OBTAINING FROM THE PARENT
11 OF EACH CHILD A TELEPHONE NUMBER OR OTHER MEANS OF CONTACTING SUCH
12 PARENT DURING THE SCHOOL DAY; AND

13 (IV) ESTABLISHING A SYSTEM OF MONITORING INDIVIDUAL
14 UNEXCUSED ABSENCES OF CHILDREN WHICH SHALL PROVIDE THAT, WHENEVER
15 A CHILD WHO IS ENROLLED IN A PUBLIC SCHOOL FAILS TO REPORT TO
16 SCHOOL ON A REGULARLY SCHEDULED SCHOOL DAY AND SCHOOL PERSONNEL
17 HAVE RECEIVED NO INDICATION THAT THE CHILD'S PARENT IS AWARE OF THE
18 CHILD'S ABSENCE, SCHOOL PERSONNEL OR VOLUNTEERS UNDER THE DIRECTION
19 OF SCHOOL PERSONNEL SHALL MAKE A REASONABLE EFFORT TO NOTIFY BY
20 TELEPHONE SUCH PARENT. ANY PERSON WHO, IN GOOD FAITH, GIVES OR
21 FAILS TO GIVE NOTICE PURSUANT TO THIS SUBPARAGRAPH (IV) SHALL BE
22 IMMUNE FROM ANY LIABILITY, CIVIL OR CRIMINAL, WHICH MIGHT OTHERWISE
23 BE INCURRED OR IMPOSED AND SHALL HAVE THE SAME IMMUNITY WITH
24 RESPECT TO ANY JUDICIAL PROCEEDING WHICH RESULTS FROM SUCH NOTICE
25 OR FAILURE TO GIVE SUCH NOTICE.

26 (d) CIVIL PENALTIES IMPOSED PURSUANT TO THE PROVISIONS OF

1 THIS SUBSECTION (3) SHALL BE PAID TO THE SCHOOL DISTRICT OF THE
2 PUBLIC SCHOOL IN WHICH THE CHILD IS ENROLLED. SUCH MONEYS SHALL
3 BE USED TO OFFSET THE COSTS TO THE SCHOOL DISTRICT OF ENCOURAGING
4 AND ENFORCING PARENTAL RESPONSIBILITY IN COMPLYING WITH THE
5 COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS OF THIS ARTICLE.

6 SECTION 6. 22-33-108 (3) and (5), Colorado Revised Statutes,
7 1988 Repl. Vol., are amended to read:

8 22-33-108. Judicial proceedings. (3) After the petition is
9 filed, the court shall notify the board and shall hold a hearing
10 on the matter. If, from the matters presented to it, the court
11 finds that the board of education failed to comply with the
12 provisions of this article, ~~or~~ that the child should be permitted
13 to enter or reenter the schools of the district, OR THAT A CIVIL
14 PENALTY SHOULD NOT BE IMPOSED, the court shall set aside the order
15 of the board of education and direct that the child be admitted to
16 school OR THAT THE CIVIL PENALTY NOT BE IMPOSED. If the court
17 finds that the board of education complied with the provisions of
18 this article and that under the circumstances the child should not
19 be allowed to enter or reenter the schools of the district OR THAT
20 A CIVIL PENALTY SHOULD BE IMPOSED, the court shall dismiss the
21 petition.

22 (3) Court proceedings shall be initiated to compel
23 compliance with the compulsory attendance statute after the parent
24 and the child have been given written notice by the attendance
25 officer of the school district or of the state that proceedings
26 will be initiated if the child OR PARENT does not comply with the

1 provisions of this article. The school district may combine the
2 notice and summons. If combined, the petition shall state the date
3 on which proceedings will be initiated, which date shall not be
4 less than five days from the date of the notice and summons. The
5 notice shall state the provisions of this article with which
6 compliance is required and shall state that the proceedings will
7 not be brought if the child OR PARENT complies with that provision
8 before the filing of the proceeding.

9 SECTION 7. Safety clause. The general assembly hereby
10 finds, determines, and declares that this act is necessary for the
11 immediate preservation of the public peace, health, and safety.



6900 S.W. HAINES RD., SUITE 120 TIGARD, OR 97223 503 639-96

FAX 503 639-53

June 21, 1994

Herbert A. Vlergutz
Attorney at Law
1029 West Third Avenue, Suite 100
Anchorage, Alaska 99501

Dear Herbert,

I appreciated talking with you about our home school programs in Oregon. In 1991 the Legislature passed a law that home schoolers be allowed to participate in public school activities and athletics programs.

We had many concerns regarding this issue. The basic concept was that programs were developed for those students in those schools. The feeling was that students representing their schools not only gain positive benefits from their participation, they also serve as good peer role models for other students.

Our membership has experienced some frustration in working with the home school law and the lack of accountability as we deal with the eligibility questions for participation. We would have liked to see them worked out before the law was imposed on us.

In the first year we did not have a substantial number of home schools involved in our athletics and activities statewide. This number has grown each year. Our state legislature took a position that participation should be the main goal and this law obviously allows more students the opportunity to participate.

There is still concern in the state that the home schooler has the best of all worlds. He is exempt from compulsory school attendance by registration with the county school district office and having to pass a test at the 23rd percentile is quite minimal. We have not experienced major problems except in individual cases. The home school issue needs to be spelled out in more detail than we have in Oregon.

I am enclosing copies of the information regarding the law passed in 1991 and our home school policy.

If you have any questions, please call me.

Sincerely,

Wes Ediger
Executive Director

WE/cb
Enclosures

OREGON

Home School Students

By action of the 1991 Oregon Legislative Assembly, home school students are eligible to participate in interscholastic activities. Those participating shall reside within the attendance boundaries of the public schools for which the student participates.

Following are the additional requirements for home school student eligibility:

1. The student shall be in compliance with all rules governing home schooling and shall provide the school administration with acceptable documentation of compliance.
2. The student shall meet all school district eligibility requirements with the exception of:
 - a. The school district's school or class attendance requirements; and
 - b. The OSAA class requirements
3. The student shall achieve a minimum score on the achievement test required annually of all home schooling students which shall be taken at the end of each year, and which shall be used to determine eligibility for the following year. The minimum, composite test score as currently determined by the State Board of Education is the 23rd percentile.
4. Any public school student who chooses to be home schooled also shall meet the minimum test standards as described in No. 3 above. The student may participate while awaiting test results.
5. Any public school student who has been unable to maintain academic eligibility shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student shall take the required tests at the end of the second year and meet the standards described in No. 3 above to become eligible for the third year.
6. The home school student shall be required to fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall be required to meet the same standards for acceptance on the team or squad. The home school student also shall comply with all public school requirements during the time of participation.

8-5 School Representation

- ✓ 8-5-1 A student who competes in athletics representing a school other than the one in which the student has been enrolled, becomes ineligible for that sport for the remainder of its season. NOTE: A home school student participating in interscholastic activities shall reside within the attendance boundaries of the public school for which the student participates. *

8-6 Transfer

Preamble: Without regulation of the eligibility of transfer students, athletes could easily be induced to transfer schools, exclusively for athletic motives. Moreover, students and their families--with or without outside influence--could permit athletic interests to become dominant factors in educational decisions. In either of these instances, athletics would be in an improper and abusive perspective. Schools believe rules to deter such situations are warranted. Therefore, the transfer rules exist to:

- a) Emphasize the primary importance of academics in educational decision making;
- b) Prevent the recruiting of student athletes;
- c) Prevent "school jumping" by students for athletic reasons;
- d) Minimize the influence of athletics upon the family decisions regarding school attendance;
- e) Protect and maintain equitable opportunity for students whose families are legitimate residents of a school district;
- f) Maintain an equitable standard for interscholastic competition between public schools which are restricted by legally established boundaries and private schools;
- g) Provide common ground for interscholastic athletic competition between schools.

↙ 8-6-1 It is a fundamental rule of the Association that students must attend only the high school in the school district where their parents reside. Exceptions to this rule are to be strictly construed.

8-6-2 Before a student can participate in athletics after having transferred from one high school to another high school, a transfer certificate in a form prescribed by the Association, properly signed by the superintendent, assistant superintendent or principal of the high school the student enters, must be filed with the Executive Director. (Transfer Certificate)

8-6-3 A student who transfers from any high school to any member high school in whose attendance area the student's parents do not reside becomes ineligible until one calendar year after the student first attends the new school. For purposes of this Rule, a student is deemed to have transferred from another high school if at any previous time the student attended classes at, or participated in any way in athletics at, another high school.

- 8-4.9 Q. May a student participate in a "jog-a-thon", a "swim-a-thon" or other "...thon" activity and receive cash or merchandise prizes for his/her fund raising effort?
- A. *Yes, provided no such prize is presented for the student's athletic performance per se. Prizes are acceptable only if they are presented exclusively on the basis of the student's fund raising achievements.*
- 8-5.0 Q. May a member of a high school golf team (see 8-5.1 below) accept USGA approved awards in a non-high school golf tournament?
- A. *A student is considered to be a member of a high school golf team the first time the student represents the school in interscholastic golf competition. From the time the student becomes a member of the high school golf team until that student no longer is a member of the high school golf team--when the season for that student is completed--he/she may not accept awards other than those permitted in Rule 8-4-1. At any other time of the year, that particular student may accept USGA approved awards and still retain his/her high school eligibility.*
- 8-5.1 Q. When is a student considered to be a high school team member in a particular sport?
- A. *The student is considered to be a team member the first time a student represents his/her school in an interscholastic contest in a particular sport.*
- 8-5.2 Q. May a high school student who is a member of a high school team also compete on a non-school, organized athletic team or as an unattached individual in that sport during the high school season?
- A. *Yes.*
- 8-5.4 Q. May a high school baseball team member (a) practice or (b) play a game with a summer team during the high school baseball season?
- A. *A high school baseball team member may practice or play with a summer team during his high school's baseball season.*
- 8-5.5 Q. May a student enrolled in one high school represent another high school in interscholastic activities?
- A. *No. A student shall represent the high school in which the student is enrolled.*
- ✓ 8-5.6 Q. May a home school student represent a member school in interscholastic activities?
- A. *Yes, providing the home school student meets all necessary requirements and represents only the public school in which district the student resides. (NOTE: See Board Policies-Home School Students)*



MEMORANDUM

To: State Board of Education

Date: October 5, 1993

From: Commissioner's Office

Action Item: 94-14

■ ISSUE

- The Board is being asked to open a period of public comment on a proposed regulation to allow private, home school, and correspondence students to enroll part time in public schools.

■ BACKGROUND

- State law does not prohibit non-public school students from enrolling in public schools. The issue is not addressed in statute.
- This proposed regulation would clarify the situation by prohibiting school districts from denying access to non-public school students.
- This would allow non-public school students to enroll part time in courses that may not be available in their school.
- The proposal would also provide reimbursement for these students through the Public School Foundation Program, as follows:
 - A secondary student enrolled in one to three courses in a semester equals 0.5 ADM (Average Daily Membership).
 - A secondary student enrolled in four or more courses in a semester equals one full ADM.
 - An elementary student who attends public school less than four hours per day equals 0.5 ADM.
 - An elementary student who attends a public school four hours or more per day equals one full ADM.

■ OPTIONS

- Open a period of public comment on the proposed regulation.
- Amend the proposal.
- Table the proposal.

■ ADMINISTRATION'S RECOMMENDATION

Motion: I move that the State Board of Education open a period of public comment on 4 AAC 05.035, 4 AAC 09.015, and 4 AAC 09.040, proposed regulations allowing private, home school, and correspondence students to enroll part time in public schools and setting up a method of reimbursement for school districts enrolling these students.

EXHIBIT 2 Page 1 of 4

MISC. BACKGROUND INFORMATION



MEMORANDUM

To: State Board of Education

Date: October 5, 1993

From: Commissioner's Office

Action Item: 94-15

I ISSUE

- The Board is being asked to open a period of public comment on a proposed regulation to allow private school students to compete in the interscholastic activities of the public schools.

II BACKGROUND

- Current rules of the Alaska School Activities Association allow both public and private secondary schools to be members of ASAA and to compete in ASAA sanctioned activities.
- However, many private, home school, and correspondence students do not attend schools that field teams. Therefore, they do not have the opportunity to participate in interscholastic activities.
- This proposal would allow private, home school, and correspondence students to participate in the interscholastic activity of a public school when the private, home or correspondence school does not offer the interscholastic activity.
- There would be several conditions for participation. The student must:
 - Meet other ASAA and school district eligibility requirements.
 - Meet and adhere to the same team responsibilities and standards of behavior and performance as other members of the team or squad.
 - Participate as a member of the public school that the student would attend according to the student's residence, even if the district has an open enrollment policy permitting attendance at a different public school.
 - Provide the school administration acceptable documentation of any scholastic eligibility standards required of all other participants.
 - Comply with ASAA and local school regulations during the time of participation.
- The State of Alaska would not reimburse school districts for non-public school students who participate in public school interscholastic activities.

III OPTIONS

- Open a period of public comment on the proposed regulation.
- Amend the proposal.
- Table the proposal.

IV ADMINISTRATION'S RECOMMENDATION

Motion: I move that the State Board of Education open a period of public comment on 4 AAC 08.111, a proposed regulation allowing private, home school, and correspondence students to participate in the interscholastic activities of the public schools.

Register , 1993

EDUCATION

4 AAC 06.111 is amended to read:

4 AAC 06.111. ALASKA SCHOOL ACTIVITIES ASSOCIATION. (a) Except as provided in (b) of this section, the [THE] constitution and bylaws of the Alaska School Activities Association, as approved by the State Board of Education on January 29, 1977, and as amended as of September 25, 1986, are adopted by reference as the applicable rules for the administration, management, and control of interscholastic activities and for eligibility for participation in these activities.

(b) Private, correspondence, and home school students who under AS 14.30.010(b) are exempt from compulsory education at a public school, may not be prohibited from participating in interscholastic activities at a public school, unless the interscholastic activity is available to the student at a private school the student attends. To be eligible to participate a student must

(1) meet other ASAA and school district eligibility requirements;

(2) meet and adhere to the same team responsibilities and standards of behavior and performance as other members of the team or school;

(3) participate as a member of the public school that the student would attend according to the student's residence, even

2/16/93
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if the district has an open enrollment policy permitting attendance at a different public school;

(4) provide the school administration acceptable documentation of any interscholastic eligibility standards required of all other students; and

(5) comply with ASBA and local school regulations during the time of participation. (Eff. 10/28/76, Register 60; am 3/24/77, Register 61; am 3/1/78, Register 65; am 9/23/78, Register 67; am 11/23/80, Register 76; am 11/25/80, Register 76; am 7/31/81, Register 79; am 6/9/81, Register 86; am 3/30/84, Register 91, am 1/24/85, Register 93; am 8/30/86, Register 99; am 2/20/87, Register 101, am ___/___/___, Register ___)

Authority: AS 14.07.020(1)
AS 14.07.053
AS 14.07.060

State Board of Education

Date: January 27, 1994

From: Commissioner's Office

File Number 94-37

ISSUE

- The Board is being asked to table a proposed regulation to allow private, home school, and correspondence students to enroll part time in public schools.

BACKGROUND

- State law does not address the issue of non-public school students enrolling in public schools. Consequently, schools are free to set their own policies, which vary from district to district.
- This proposed regulation would establish a uniform statewide policy by prohibiting school districts from denying access to non-public school students.
- This would allow non-public school students to enroll in public school for one or more courses.
- The proposal would also provide reimbursement for these students through the Public School Foundation Program.
- The period of public comment ended January 21. Public hearings were held in Fairbanks on January 6 and in Anchorage on January 19.
- Written comments and transcripts of oral testimony will be provided in a separate packet. The public comments address two related action items: this one and 94-38, regulations governing participation in public school interscholastic activities. Both items deal with access to public schools by private, home school, and correspondence students.
- A new issue has arisen since the Board introduced this proposal. The governor has proposed funding for the foundation program for FY 95 at the FY 94 level. This means that school districts will have no funding for new students. In light of this development, the Commissioner proposes that the Board table this proposed regulation until the legislature and governor act on the foundation program appropriation.
- A copy of the proposed regulation follows this memo.

OPTIONS

- Adopt the regulation as proposed
- Adopt an amended proposal
- Table the proposal

ADMINISTRATION'S RECOMMENDATION

Motion: I move to table 4 AAC 05.035, 4 AAC 09.015, and 4 AAC 09.040, allowing private, home school, and correspondence students to enroll part time in public schools and setting up a method of reimbursement for school districts enrolling these students.

Panel urges enrollment rule for sports

By JANIE LAWLEY
Peninsula Clarion

1/26/95

Some correspondence students who are playing sports in the local public schools may have to make some hard choices before the fall.

At its last meeting, the Kenai Peninsula School Activities Association, which governs extracurricular activities in the school district, voted unanimously to put some eligibility requirements on the books. It will recommend to the school board that students must be enrolled in and passing three public school courses before being allowed to participate in extracurricular activities.

Associate Superintendent John Dahlgren, who oversees the KPSAA board, defined extracurricular activities as those that occur outside of the normal school day and those that aren't required as part of a course. The majority of these are athletics, but other examples are participation in all-state band

and choir competitions.

As of now, Dahlgren said, the district doesn't have any guidelines that state whether students in district correspondence or those in private or home schools can take part in extracurricular activities. Public school students must be taking and passing four classes now to do the same.

The KPSAA board began to discuss the issue after the school board voted in September to allow those students outside of the public schools to take elective courses. In addition, Dahlgren said, school athletic directors have been struggling to keep track of eligibility for correspondence students.

The issue, he said, is one of fairness. Dahlgren wonders if it is appropriate for a student outside of the public realm to participate in athletic competitions.

"If they enroll in one class does that allow them to participate in a co-curricular program? We're try-

See ENROLL, back page

...Enroll

Continued from page 1

ing to define what an enrolled student is," Dahlgren said.

There are pros and cons.

Dahlgren said that while loosening requirements will provide more opportunities for more students, there is something missing. He believes that to truly be a part of the school, a student must be there.

"You can't be a part of the school community if you aren't there. You are part of a school — part of the community — that school culture," he said.

Dahlgren said that he believes many students don't realize the responsibility that comes with extracurricular activities. Team members are representing themselves, their communities, their schools, their parents and their peers, he said.

Dahlgren said another point is that only so many students can make an athletic team. He questioned what would happen if a full-

time student at a local high school was replaced by a student who is taking only one class at the school.

Despite his concerns, he said that he is comfortable with the proposed three-course rule, which is basically part-time.

Pam Lazenby, the parent representative on KPSAA, said she can also live with the three-course requirement, but she prefers an all or nothing approach.

She said she has talked with several parents who agree that the eligibility requirements should be stricter.

"My feeling on it is that if you want to participate in extracurricular activities, you have to attend that school. To me, it's a spirit issue. If you're not part of that school, I don't see how you can represent that team," Lazenby said.

Another issue is choice.

"People have choices in today's world. You can choose public school. There are some wonderful rewards and great opportunities, just as there are if you choose correspondence or home school. If you choose one, you shouldn't be able

to get the best of all three worlds. You should opt into one program and reap the benefits of that program," Lazenby said.

Dahlgren said there is also the issue of funding.

Finance Director Dick Swamer has said that the district cannot receive funding for those students enrolled full-time in state or district correspondence. However, those in home school, private or another correspondence program can be counted — no matter how many hours they take within the public school system.

Dahlgren said that the state Board of Education is considering changing that requirement and increasing the number of hours required for eligibility. This will mean that students will have to take more courses for the district to receive any funding for them.

Dahlgren said the money aspect is a good argument. If the district gets paid for a student, maybe he or she should be allowed to participate in all activities.

Looking at the big picture, however, Dahlgren said he worries

about being fair to all students. He wonders if it's fair that students outside of the public realm can pick and choose what programs they want to become involved in.

"There's got to be some structure. They want little pieces, but they don't want to buy the whole thing," he said.

Besides dealing with eligibility issues for extracurricular activities, KPSAA also oversees basic student rules and disciplinary procedures for extracurricular activities. The board is made up of a mix of people, including administrators from the middle and secondary school levels, a high school coach, an elementary principal, a parent representative and a school board member. The association has been in existence since the early 1980s and was formed to provide some order and consistency in the district's extracurricular programs.

Dahlgren will present the recommendation for a three-course eligibility requirement for those alternative students at the school board's meeting on Feb. 20.



February 23, 1995

Anchorage School District

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Honorable Members
House HESS Committee
State Capitol
Juneau, Alaska 99501-1182

RE: HB 156 (Relating to Access to Extra-curricular Programs By Home School Students)

Dear HESS Committee Members:

The Anchorage School District administration ("ASD") has reviewed HB 156 which, if enacted, would require the ASD to permit students not enrolled in the ASD to participate in ASD sponsored extracurricular activities. We strongly oppose this bill.

Over the past two years, the issue of admitting non-enrolled students to public school extracurricular programs has received much attention in Alaska. In 1993 and 1994, the Alaska Department of Education ("DOE") promulgated regulations which would have required local districts to permit home, correspondence, and other private school students to participate in public school extracurricular activities, including activities sanctioned by the Alaska School Activities Association ("ASAA"). Local school boards and the ASAA voiced strong opposition based on substantial legal, financial, administrative and policy implications of the proposed regulations. As a result, State Board of Education tabled the regulations.

During this same period, the ASD, DOE and ASAA were sued by a handful of home, correspondence and private school students who sought participation by non-enrolled students in ASD's extracurricular activities, particularly ASAA sanctioned interscholastic athletic programs.¹ The superior court rejected the

¹ Sandra I. Blomfield et al. v. Anchorage School District, Alaska School Activities Association, Inc. and State Board of Education, 3AN-93-2740 Civ (Super Ct. Third Judicial District, decided August 2, 1994).

Honorable Members
House HESS Committee
February 23, 1995
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plaintiffs' claims, holding that the ASD had legitimate financial and administrative reasons for excluding non-enrolled students from participation in ASD sponsored extracurricular activities. The court expressly noted that under the state public school foundation program, only students enrolled in a public school district generate state/local funding for the district. The court said:

[I]t is undisputed that ASD's state funding is provided on a per-pupil basis. If students not enrolled in the District participate in athletic programs there, they effectively draw down the state/local funding without contributing to the "body count" which generates that funding.

Memorandum of Decision and Order Granting Defendants and Denying Plaintiffs' Motions for Summary Judgment at 5. (Copy attached hereto as Attachment 2).

House Bill 156 imposes the identical financial burden and resulting inequities involved in the Blomfield litigation. If enacted, it would create a costly obligation for the ASD, without the funding necessary to carry out the mandate.

In addition, HB 156 ignores long standing and well established principles of local control. Central to the Blomfield litigation were the interests of the ASD in setting and enforcing uniform eligibility standards in athletic programs, and the maintenance of a proper perspective towards extracurricular activities as being subordinate to the academic mission of the ASD. Permitting only students enrolled in the ASD to participate in ASD sponsored extracurricular activities best serves these legitimate interests. We therefore urge House HESS to not support HB 156.

HB 156, as proposed, raises additional concerns.

(a). Recruiting and School "Shopping": HB 156 appears to permit home school students to "shop" between school districts as well as between schools

Honorable Members
House HESS Committee
February 23, 1995
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within the same district for a team to play on. The proposed language does not appear to limit a home school student to activity participation in the home school student's attendance area. Under HB 156, a home school student living in Wasilla (Mat-Su School District attendance area), for example, could play on a football team in the Anchorage School District. The statute, as proposed, would even permit a student to play on teams in more than one school district, e.g. hockey in the Mat-Su School District and football in the ASD. In addition to "shopping" by students, the proposed statute would also encourage "recruiting" of student athletes by individual schools or school districts. Such a result is undesirable and would undermine long standing policies prohibiting recruitment of athletes and team shopping.

(b). Ambiguity as to the Activities Covered by the Statute: HB 156 defines "extracurricular activities" to include "drama, debate, music, band, and athletic activities." (Emphasis added). Under Alaska statutory rules of construction, the definition is not limited to the listed activities. AS 01.10.040 (b). Thus, it appears that activities such as yearbook, cheerleading, drill team, student council, dances, clubs, spelling bees and field trips, to mention a few, are included under the statute.

A major problem is that the statutory definition also appears to include academic activities. The ASD does not consider "band" and "music" to be extracurricular. They are academic classes which are offered during the regular school day for which students receive credits towards graduation. It is unclear whether HB 156 would require a school district to permit home school students to participate in academic band and music classes. If such participation is required, the ASD can only speculate as to what other academic classes are included within the meaning of "extracurricular activities" under HB 156. For example, the ASD has received numerous requests by home school parents to permit their students to participate in ASD's foreign language classes. Like band and music, foreign language classes are academic subjects. The statute's

Honorable Members
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definition of "extracurricular activities" will result in much confusion over what is or isn't an "extracurricular activity" and will encourage litigation over the matter.

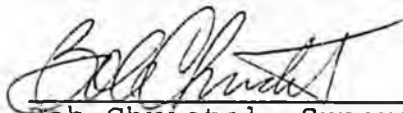
In summary, enactment of HB 156 will result in opportunities for home school students at the expense of ASD students. It will impose unjustified financial and administrative burdens on the ASD, and seriously undermine the ASD's ability to set standards for its extracurricular programs and operate the programs in a cost effective manner. In addition, enactment of HB 156 will serve to provoke costly litigation by persons challenging the constitutionality of the Act, as well as by persons (e.g., other private school students) who wish to be included in the Act. The statute's ambiguous language will also invite litigation. For the reasons outlined, we urge the House HESS committee to decline to support HB 156.

A detailed analysis of the problems we perceive under HB 156 is attached to this letter. See Attachment 1.

Thank you in advance for your thoughtful consideration of the ASD's concerns expressed in this letter. Please do not hesitate to contact myself or Larry Wiget, Director of Government Relations, for additional information or clarification regarding these concerns. My phone number is 269-2290 and Larry Wiget's number is 269-2255.

Very truly yours,

ANCHORAGE SCHOOL DISTRICT



Bob Christal, Superintendent

Attachments (2)

cc: Larry Wiget
Bill Mell

ANCHORAGE SCHOOL DISTRICT'S ANALYSIS OF HB 156

1. Economic Burdens: Under the Alaska Public School Foundation Program ("PSFP"), the ASD and other local districts receive no categorical funding for extracurricular activities, per se. AS 14.17 et. seq. Funds for such activities must be budgeted from basic education funds allocated under the PSFP.² Funding for basic education is based on a formula which counts only students who are enrolled in the local public school district. AS 14.17.041. Simply put, students who are not enrolled in the ASD do not generate PSFP revenues which pay for the extracurricular activities offered by the ASD. If HB 156 were enacted, potentially hundreds of home school students residing in the Anchorage attendance area would participate in ASD activities as "free riders," thereby imposing a significant financial burden on the ASD's activities' budget.³

In addition, it is a near certainty that the ASD would lose some currently enrolled students if HB 156 were enacted into law, since there are a number of students who remain enrolled in public schools solely because of extracurricular activities. In the Blomfield litigation, for example, two of the named plaintiffs admitted that but for the activity eligibility rules, they would not remain enrolled in the ASD, but would only participate in the ASD's athletic activities, while getting their academics elsewhere. The loss of students would further erode the ASD's funding base.

In this period of declining revenues and severe budgetary cutbacks, enactment of HB 156 would force the ASD to make further reductions or eliminate some extracurricular activities altogether.⁴

² The PSFP formula allocates both state and municipal (local contribution) funds to local municipal school districts. AS 14.17.025.

³ There are approximately 2,000 students residing within the ASD boundaries who are not enrolled in the ASD. Over 500 of these students are enrolled in home schools.

⁴ In addition to expenses for coaches, equipment, uniforms, rental fees and transportation costs associated with extracurricular activities, the ASD pays an ASAA membership fee and a surcharge for each student. Catastrophic liability insurance for non-enrolled students is an additional cost.

2. **Fairness Considerations:** With respect to interscholastic competitive activities, there are a limited number of positions on any given team. Participation by non-enrolled students would not increase available opportunities, but would simply result in the "bumping" or displacing of ASD students from their ASD interscholastic school team. Such a result raises issues of fundamental fairness. Students who attend the ASD and participate in its academic program should not be bumped from their school team in favor of a student who has made a choice to attend school elsewhere, even if the non-enrolled student is a superior athlete. ASD students generate the foundation funds from which the ASD funds its interscholastic activities. Home school students who, under HB 156, would drop by after school only to play sports would contribute nothing to the "body count" from which PSFP funds are calculated.

Furthermore, an important goal of our extracurricular programs is to foster school pride and school spirit. Each team represents a particular school as well as the ASD as a whole. It goes without saying that our teams should be composed of students who are enrolled in the ASD.

It should also be pointed out that home school students have opportunities to participate in extracurricular activities through private or public sports leagues in Anchorage. They are also permitted to join ASAA and compete individually in ASAA sanctioned competitions. Further, it is our understanding that ASAA rules allow a group of unrelated home school students to form a team. With over 500 home school students in Anchorage, it would be feasible for a number of these students and their parents to get together to form a sports team. In the alternative, home school students have the option of enrolling in the ASD, and when enrolled, may participate in ASD sponsored extracurricular activities. As the Blomfield court observed, "it is through their own choosing that they absent themselves from the realm of public education."

Fundamental fairness clearly militates against enactment of HB 156.

3. **Administrative Concerns:** The ASD considers participation in extracurricular activities to be a privilege which, at all times, is subordinate to the ASD's academic and educational mission. To participate in extracurricular activities, students must meet academic and attendance requirements, maintain passing grades and demonstrate citizenship and decorum. Uniform enforcement of the ASD's eligibility standards is important to the maintenance of fairness in team selection, team morale, school pride and a proper perspective towards extracurricular activities.

From a practical standpoint, application of the ASD's academic and disciplinary standards to hundreds of non-ASD home school students would be an administrative nightmare. Substantial administrative time and additional resources would be required to ensure that the ASD's rules are applied uniformly to ASD and non-ASD students.

For example, the ASD requires students who participate on interscholastic sports teams to be in regular attendance at school and in classes. A student must be in attendance for half of the day in order to attend practice or play in a game that day. ASD eligibility rules also require a 2.0 grade point average for all classes taken, and enrollment in at least four classes that lead towards graduation. Students may lose participation rights for violation of the ASD's training rules pertaining to the use of drugs, alcohol and tobacco, as well as for behavioral infractions that occur during the regular school day. If HB 156 were enacted, it would be difficult, if not impossible, to apply and enforce the ASD's standards to home school students. Determining comparability of grading systems would be extremely burdensome, if at all possible. Similarly, keeping track of the daily attendance of students in their home school classes would be next to impossible.

The ASD not only lacks the administrative capacity, but more importantly, it lacks any legal authority to require home schools to adhere to ASD's academic and disciplinary standards. Enactment of HB 156 would therefore result in a "double" standard--one for ASD students and a multitude of "standards" for home school students. Enactment of HB 156 stands to seriously undermine the ASD's ability to set eligibility standards, control its academic and extracurricular programs, and operate its extracurricular activities in a cost effective manner. From an administrative standpoint, the burdens imposed by HB 156 are so substantial that they can be met, if at all, only through inordinate additional costs and intrusion by the ASD into the home school operations.

4. Constitutional and Other Legal Issues: HB 156 raises substantial constitutional questions. Home schools are private schools established for a variety of reasons, including religious reasons. Permitting home school students to participate in ASD sponsored extracurricular activities likely violates the Alaska Constitution's prohibitions against providing direct benefits to secular or other private schools. AK. Const. art. VII, sec. 1. It

may also violate prohibitions against using public funds for a non-public purpose. AK. Const. art. IX, sec. 6.⁵

Home schools are clearly the sole beneficiaries of HB 156. The primary effect of HB 156 will be to subsidize the curriculum of private and secular home schools at the expense of public school students. Such subsidization constitutes a substantial direct benefit to home schools. School districts which permit home school students to participate in extracurricular programs pursuant to HB 156 will likely face costly legal challenges under the state and federal constitutions by the ACLU or others.

Enactment of HB 156 will also invite further Blomfield-type litigation by other private school students who see HB 156 as conferring an equal "right" for all non-enrolled students to participate on ASD interscholastic athletic teams. Although the ASD prevailed in the Blomfield lawsuit, it incurred thousands of dollars in litigation expenses and fees. The public interest is not well served by enacting legislation which is legally unsound and invites this type of costly litigation.

⁵ Those who favor the approach of HB 156 may argue that participation is a benefit to the student, rather than to the private school the student attends. However, the Alaska Supreme Court has rejected similar arguments. See Matthews v. Quinton, 362 P.2d 932 (Alaska 1961); Sheldon Jackson College v. State, 599 P.2d 127 (Alaska 1979).

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

SANDRA I. BLOMFIELD, and
minor children,
A.J.B.; L.A.B.; M.S.G.;
S.E.W. and M.J.B.,

Plaintiffs,

vs.

ANCHORAGE SCHOOL DISTRICT;
ALASKA SCHOOL ACTIVITIES
ASSOCIATION, INC.; AND STATE
BOARD OF EDUCATION,

Defendants.

CASE NO. 3AN-93-2740 CIV

MEMORANDUM OF DECISION AND
ORDER GRANTING DEFENDANTS' AND DENYING
PLAINTIFFS' MOTIONS FOR SUMMARY JUDGMENT

This case involves plaintiffs' challenge to rules promulgated by defendants which limit participation in public school extracurricular activities to students enrolled in the public schools. The plaintiffs are individuals (and one parent of two of those individuals) who attend or wish to attend private schools and students who receive their education through correspondence or home schooling. The students involved wish to participate in interscholastic activities offered by the Anchorage School District. The defendants include the District ("ASD"), the State Board of Education ("Board") and the Alaska School Activities Association, Inc. ("ASAA").

Plaintiffs' complaint asks the court to invalidate defendants' rules based on alleged violations of due process and equal protection guarantees under both the state and federal constitutions. The complaint also claims violations of plaintiffs'

civil rights and rights to liberty, pursuit of happiness and the enjoyment of the rewards of their own industry under Alaska's constitution.

In plaintiffs' briefing, their counsel emphasizes arguments arising under the direct benefits clause in the Alaska Constitution and the free exercise and establishment clauses of the state and federal constitutions. Those provisions involve questions of religious freedom. Plaintiffs themselves, however, specifically disavow any religious motivation for their decision to obtain education outside of the public school system. Accordingly, the court will disregard the religion-based arguments on the grounds of relevance.¹

The parties agree that there are no disputed issues of fact. Accordingly, the case turns on resolution of the legal contentions raised in plaintiffs' complaint.

A. The Civil Rights Claim

Art. I, Sec. 3 of the Alaska Constitution provides: "No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex or national origin. The legislature shall implement this Section." Title 18.80 of the Alaska Statutes establishes rights and remedies pursuant to this mandate. As noted above, plaintiffs have denied any religious basis for their education choices. Furthermore, plaintiffs have

¹ The direct benefits arguments are irrelevant for the additional reason that this suit does not challenge a rule which allows parochial students to participate in public school activities. Rather, the focus in this litigation is whether the defendants are obligated to include non-public students in public extracurricular activities.

not alleged any violation of Title 18.80. Accordingly, plaintiffs have not placed themselves in any protected class warranting relief under Art. I, Section 3.

B. The Liberty Claim

Plaintiffs rely on Breese v Smith, 501 P.2d 159 (Alaska 1972), to support their liberty claim. In Breese, the court noted first that Article VII, Section 7 guarantees all Alaskan children a public education. The court described the core of the concept of "liberty" embodied in Article I, Section 1 as "the notion of total personal immunity from governmental control: the right 'to be let alone.'" Id. at 168. The court concluded that the right of students to select their own hairstyle constitutes a fundamental constitutional right. Id. at 170. As such, the Fairbanks North Star School District and the school and principal involved were required (and ultimately failed) to demonstrate a compelling state interest to overcome Breese's challenge to his school's hair length rule.

Plaintiffs argue that if the right to liberty includes hair length choices, certainly it must also encompass the seemingly more significant right to participate in interscholastic activities in the public schools. There are three fallacies with this argument, two of which also apply to plaintiffs' allegations pertaining to due process and equal protection, discussed, infra.

First, specific to the liberty issue, there is an obvious distinction between a constitutional requirement to refrain from intruding upon an individual's right to control his or her own

person, versus the demand made here that a governmental entity affirmatively provide services to individuals.

Second, in Breese, the student was precluded from enjoying his right to a public education as a result of exercising his liberty rights. In the present situation, the school system welcomes the plaintiffs. Defendants do not require plaintiffs to make a "Hobson's choice" between religious freedom or other specially protected rights and the right to participate in extracurricular programs. It is through plaintiffs' own choosing that they absent themselves, or wish to absent themselves, from the realm of public education. See, Thomas v. Allegany County Board of Education, 443 A.2d 622 (Md. App. 1982).²

Finally, as suggested above, the right to engage in interscholastic activities is not a fundamental right. Steffes v. Cal. Intersch. Fed., 222 Cal. Rptr. 355, 360-61 (Cal. App. 2 Dist. 1986). While then Chief Justice Bird expressed a contrary view in her concurring opinion in Hartzell v. Connell, 689 P.2d 35 (Cal. 1984), neither California nor any other court has adopted this position.

The policies promulgated by all the defendants in this case establish the subordinate position of extracurricular activities in Alaska vis-a-vis the schools' academic programs.

²Although not pled, plaintiffs argue that the right to choose a particular form of education implicates their right to privacy, which somehow aligns them more with the reasoning in Breese. The right to privacy was not pleaded in the complaint. By way of dictum, the court finds that defendants' rules do not infringe in the slightest upon plaintiffs' right to privacy.

Interscholastic activities unquestionably have value, and certainly have great importance to the plaintiffs in this case. But these facts do not elevate such activities to the level of fundamental rights warranting special constitutional protections.

C. The Equal Protection Claims.

Plaintiffs allege that defendants discriminate against them versus students enrolled in the public schools on the basis of plaintiffs' placement outside the public system.

Under federal law, education itself is not a fundamental right. San Antonio Independent School District v. Rodriguez, 411 U.S. 1, 35, 93 S.Ct. 1278, 36 L.Ed.2d 16 (1973). Nor is the classification of public/non-public school students "suspect." Accordingly, defendants' distinction must be upheld under the U.S. Constitution if supported by a rational basis. Denis J. O'Connell High School v. Virginia High School, 581 F.2d 81, 85 (4th Cir. 1978).

The affidavit submitted by A.S.D.'s William Mell articulates several rational policy reasons for the exclusion from extracurricular activities of students not enrolled in the District. First, it is undisputed that ASD's state funding is provided on a per-pupil basis. If students not enrolled in the District participate in athletic programs there, they effectively draw down the state/local funding without contributing to the "body count" which generates that funding. Mell describes additional concerns with eligibility supervision and administration of discipline. These suffice to meet the rational basis test.

Under the Alaska Constitution, the Alaska Supreme Court applies a sliding scale of scrutiny in analyzing claimed denials of equal protection. State v. Erickson, 574 P.2d 1, 11-12 (Alaska 1978). In Sonneman v. Knight, 790 P.2d 702 (Alaska 1990), the court described the appropriate three step analysis:

First, it must be determined . . . what weight should be afforded the constitutional interest impaired by the challenged enactment. . . .

Second, an examination must be undertaken of the purposes served by a challenged statute. . . .

Third, an evaluation of the state's interest in the particular means employed to further its goals must be undertaken.

Id. at 704, citing, Alaska Pacific Assurance Co. v. Brown, 687 P.2d 264, 269 (Alaska 1984). Sonneman held that unemployment benefits warrant protection only at the lowest end of the scale. As is true under federal law, generally the strictest scrutiny is reserved for cases in which there is either a suspect classification or a fundamental right involved.

As discussed above, the right to participate in interscholastic activities does not rise to the level of a fundamental right. It is certainly not entitled to more weight than unemployment benefits. Additionally, plaintiffs have not suggested that the classification is suspect. It is not based on categories such as race or religion, nor on conditions such as wealth. As noted, supra, defendants' classifications bear a fair and substantial relationship to the accomplishment of legitimate ASD and state objectives. Accordingly, defendants' rules must be upheld against attack under state equal protection law.

D. The Due Process Claim

Finally, plaintiffs complain that defendants' refusal to allow non-enrolled students to participate in extracurricular activities contravenes substantive due process.

Boyd v. Board of Directors, 612 F. Supp. 86 (E.D. Ark. 1985), and Pelgram v. Nelson, 469 F. Supp. 134 (M.D.N.C. 1979), support plaintiffs' claim to a property right in these activities. The better reasoned cases, however, hold to the contrary. E.g., Menke v. Ohio High School Athletic Ass'n., 441 N.E. 2d 620 (Ohio 1981); Yellow Springs Exempted Village Sch. Dist. B. of E. v. Ohio High Sch. Ath. Ass'n., 443 F. Supp. 753, 758, n. 37 (S.D. Ohio 1978) and Denis J. O'Connell High Sch. v. Virginia High Sch., supra.

Even if the entitlement to participate in extracurricular activities were recognized as a property interest, substantive due process requires only that there be a rational basis for the challenged regulation. Concerned Citizens of So. Kenai Pen. v. Kenai Pen. Bor., 527 P.2d 447, 452 (Alaska 1974). As discussed, supra, such basis exists.

ORDER

Based on the foregoing reasoning, IT IS ORDERED that plaintiffs' motion for summary judgment is DENIED and defendants' motions are GRANTED.

Dated at Anchorage, Alaska this 2nd day of August 1994.

Joan M. Woodward
JOAN M. WOODWARD
SUPERIOR COURT JUDGE

I certify that on 8-2-94
a copy of the above was mailed to each
of the following at their addresses of
record:

M. Williams
Secretary/Deputy Clerk

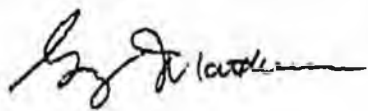
Ag. Group
1/ script?
Secretary
Patterson

7



ALASKA SCHOOL ACTIVITIES ASSOCIATION, INC.

TO: House Health, Education and Social Services Committee

FROM: Gary Matthews
Executive Director 

DATE: April 11, 1995

RE: House Bill No. 156

The Alaska School Activities Association is the governing body of high school interscholastic sports and activities in the approximately 180 member high schools in Alaska.

The Alaska School Activities Association is opposed to the adoption of HB 156.

Premise: It has long been a precept of athletic eligibility, embodied in Article XII, Section 2 of the Alaska School Activities Association, Inc. (ASAA) Bylaws, that a student may participate in interscholastic activities only at the school at which s/he is enrolled (registered).

A. "To be eligible during a school semester for participation in interscholastic activities, a student must:

1. be properly registered in a 9-12 or 10-12 high school program or any combination thereof, in the member school where the student will participate or where authorized by a member district, be enrolled in the member district's alternative school or program when such district is paying the student surcharge for that student and when the student is participating at the member school s/he would normally attend or at the member school nearest to the alternative school; and
2. be carrying a minimum of four classes (semester units) that lead to granting of credit toward graduation; and
3. be in regular attendance at school classes in which enrolled (or be enrolled in a district or member school correspondence program."

The purposes of this provision are:

1. to recognize the primacy of academics in the overall school experience,
2. to keep interscholastic activities in its proper perspective in the entire educational program,
3. to recognize the amateur character of high school athletics,
4. to deter athletic school-shopping by students,
5. to avoid the pressure placed on students which would accompany a system which permitted students and schools to bid for positions of talent without regard to where the student receives his/her academic education, and
6. to recognize that a team, which represents a school, should be comprised of students who attend

the school.

Some Specific Concerns: This proposed statute change raises a number of concerns. This is not an exhaustive list.

1. HB 156 would frustrate the advantage of having one school with full administrative control over a student. There is often an interplay between disciplinary concerns, attendance, motivation and performance of a student in academic and athletic activities. It is better to have one school administration overseeing all of the student's activities, with enforcement abilities in all areas.
2. Under HB 156, it would be difficult to compare eligibility standards between home schools and public schools. ASAA eligibility rules require that a student pass at least four semester units of credit toward graduation in the immediately preceding semester. If academic schedules are slower at the home school (not an unusual circumstance), this may create the perception or even the fact of unfairness.
3. HB 156 would operate to the detriment of "school spirit" which is one of the positive features of interscholastic activities. Interscholastic sports and other activities provide rewarding experiences not only to the participants, but also to student spectators who turn out to root for their school teams. The sense of school pride and community may suffer if a substantial contingent of the school's team consists of students from another school, whom the public school students do not know.
4. HB 156 may result in students attending home schools in order to "get around" the ASAA's transfer rule which prevents students from transferring between schools within a district simply because students want to play on a certain team. By transferring from a public school to a home school, then participating at a different public school, students could circumvent ASAA's transfer rule.
5. A particular public school may be inundated with home school student participation in interscholastic activities, either because of geographic considerations or because the school has a particularly good interscholastic program. Without additional funding from the State or a requirement that home schools compensate the public school for the full cost of home school students' participation, the public school will either have to divert more of its academic budget to its interscholastic activities program, or curtail the program.
6. HB 156 would foster disputes and even possible litigation because it will cause some public school students to be displaced by private home school students on team rosters. Parents of public school students displaced from activities by home school students can be expected to challenge the statute as violating the Alaska Constitution provision which prohibits the use of public school funds for the direct benefit of private home schools. Moreover, individual decisions regarding a student's qualifications to play for a team or to play a certain position will become more controversial. For example, a parent of a home school student will be more inclined to suspect that a public school coach's decision to utilize the student athlete is the result of politics, school loyalty or related motivations rather than based upon the actual abilities of the student. Given the increasing tendency of parents to litigate such matters, coaches or band directors may find themselves in court defending individual decisions.
7. HB 156 raises a number of related questions concerning other ASAA Bylaws. For example:
 - A. Which school supervises the home school student? Present Bylaws permit a member school principal to deny eligibility to a student for misbehavior.

B. Which school can appeal ASAA decisions affecting student eligibility?
Under ASAA Bylaws, only member schools are entitled to do so.

C. What is acceptable documentation and who will decide? ASAA member schools must verify student eligibility based on school records and information that is readily available. How will the public school gain access to this information for home school students? Will it be the public school's responsibility to verify the information? Will the state verify home schools for the purpose of establishing acceptable documentation?

D. State certified home schools are eligible for membership in ASAA. Since students in those schools are then eligible for interscholastic competition, doesn't HB 156 create a situation in which those students have two opportunities to participate: 1) at their home school or 2) at a public school? This hardly seems fair.

Summation: HB 156 raises the question of fundamental fairness to the public schools of Alaska. Parents choose to send their students to a certain school or to school them at home, based on a set of beliefs and values. All aspects of the decision on school choice should be considered in deciding how and where to educate children. School choice should mean the act of selecting a school for children, based on the overall consideration of a variety of factors.

04/18/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 13:31:48 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE L362
 TCN 50573 T/C DATE: 04/13/95 TIME: 14:00 to 16:00 STATUS: 7 STATS IN
 SITE: LIO ANC VTS ANCHORAGE

1	_____	GISELLE	BERYERON	HUNTWOOD CHRISTI	T 01 HB 156
	12570	NORTHERN RAVEN	ANCHORAGE	AK 99516	(907)345-1010
2	_____	SANDY	BLOMFIELD	_____	T 01 HB 156
	7610	WILDWOOD CIRCLE	ANCHORAGE	AK 99516	(907)346-2738
3	_____	STEVEN	PORTER	_____	T 01 HB 156
	10420	LONE TREE DR	ANCHORAGE	AK 99516	(907)265-6269
4	DR.	WILLIAM	MELL	ASD	T 01 HB 156
					(907)000-0000
5	_____	JUSTIN	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323
6	_____	JOSHUA	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323
7	_____	JONATHAN	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323
8	_____	PAIGE	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323

MSG:
 ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

04/18/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 13:32:00 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE L362
 TCN 50573 T/C DATE: 04/13/95 TIME: 14:00 to 16:00 STATUS: 7 STATS IN
 SITE: LIO ANC VTS ANCHORAGE

9	_____	SARAH	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323
10	_____	JERRY	WALTON	_____	T 01 HB 156
	PO BOX	221166	ANCHORAGE	AK 99522	(907)248-1323
11	_____	LAUREL	TATSUDA	_____	T 01 HB 156
	510 L ST,	STE 500	ANCHORAGE	AK 99501	(907)278-8533
12	_____	MATTHEW	BERGERON	_____	U 01 HB 156
	12570	NORTHERN RAVEN	ANCHORAGE	AK 99516	(907)345-1010
13	_____	MARK	BERGERON	_____	U 01 HB 156
	12570	NORTHERN RAVEN	ANCHORAGE	AK 99516	(907)345-1010
14	_____	ONE	OBSERVER	_____	O 01 HB 156
					(907)000-0000
15	_____	ONE	OBSERVER	_____	O 01 HB 156
					(907)000-0000
16	_____	ONE	OBSERVER	_____	O 01 HB 156
					(907)000-0000

MSG: 1410 NO FURTHER INFORMATION
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04/18/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
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 TCN 50573 T/C DATE: 04/13/95 TIME: 14:00 to 16:00 STATUS: 7 STATS IN
 SITE: LIO SOL VTS KEN/SOL

1	MR.	JOHN	DAHLGREN	KPBSD	T 01 HB 156
	148 N.	BINKLEY	SOLDOTNA	AK 99669	(907)262-5846
2	MS.	MARYJEAN	YRAGUI	SELF	T 01 HB 156
	PO BOX	1290	KENAI	AK 99611	(907)283-4947
3	MS.	ISABEL	HUESTIS	SELF	T 01 HB 156
	PO BOX	1886	SOLDOTNA	AK 99669	(907)262-2868
4	MS.	MARY	HUTCHINSON	SELF	T 01 HB 156
	HC 2 BOX	389	SOLDOTNA	AK 99669	(907)262-4260
5	MS.	MAGGIE	REILLY	SELF	T 01 HB 156

MSG: 1410 NO FURTHER INFORMATION

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04/18/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
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 SITE: LIO ZZZ VTS OF1 OFFNET 1
 1 _____ DAVID MCGUIRE _____ T 02 HB 135
 _____ ANCHORAGE AK _____ (907)562-4142

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

04/18/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1401
 13:32:39 N CONFERENCE DISPLAY PAGE 01 - ORDER SUMMARY L362
 TCN 50573 T/C DATE: 04/13/95 TIME: 14:00 to 16:00 STATUS: 7 STATS IN
 SPONSOR: HHES HOUSE HEALTH, EDUCATION & SOCIAL SERVICE CHAIRS: TOOHEY
 PURPOSE: PUB PUBLIC-HEARING LEGISLATIVE BUNDE
 1ST ITEM: HB 156 STUDENT ACCESS TO SCHOOL PROGRAMS 2 ITEMS ON AGENDA
 CONTACT: LYNNE SMITH TEL: (907)465-6825 MODERATOR: ZZZ
 LOCATION STAFF

CHAIRING SITE: JUNEAU CAPITOL ROOM: CAP106 PRINTER: L300

PARTICIPATING LIOS: 5 VOLUNTEER SITES: 0 OFFNETS: 1
 SPONSOR REMARKS(PUBLIC): TESTIMONY ALLOWED: Y 3 MINUTE LIMIT:
 AT THIS TIME, HB 156 WILL BE THE FIRST BILL ON THE CALENDAR
 TESTIMONY WILL BE TAKEN WITH A 3 MINUTE LIMIT.

BACKUP MATERIAL: N

UPDATE NO: 4 ENTERED BY: LHSC:ES LAST UPDATED BY: LIOCOJO
 REQUESTED ON: 04/06/95 ON: 04/06/95 ON: 04/14/95

MSG:

ENTER Pg# 02 PF2 NextC# ynnnn PF3 Exit PF4 Menu PF6 Print PF12 Quit

04/18/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1401
 13:32:39 N CONFERENCE DISPLAY PAGE 01 - ORDER SUMMARY L362
 TCN 50573 T/C DATE: 04/13/95 TIME: 14:00 to 16:00 STATUS: 7 STATS IN
 SPONSOR: HHES HOUSE HEALTH, EDUCATION & SOCIAL SERVICE CHAIRS: TOOHEY
 PURPOSE: PUB PUBLIC-HEARING LEGISLATIVE BUNDE
 1ST ITEM: HB 156 STUDENT ACCESS TO SCHOOL PROGRAMS 2 ITEMS ON AGENDA
 CONTACT: LYNNE SMITH TEL: (907)465-6825 MODERATOR: ZZZ
 LOCATION STAFF

04/13/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150

14:05:51 PARTICIPANT LIST (ALL PARTICIPANTS) BY:SOL

TCN:50573 SCHEDULED FOR:04/13/95 14:00 TO 16:00 FOR:SOL

PUBLIC HEARING HOUSE HEALTH, EDUCATION & SOCIAL SERVICE

LOCATION:KEN/SOL

HB 156	MR.	JOHN	DAHLGREN ✓	KPBSD	TESTIFY
HB 156	MS.	MARYJEAN	YRAGUI ✓	SELF	TESTIFY
HB 156	MS.	ISABEL	HUESTIS ✓	SELF	TESTIFY

04/13/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150

14:08:46 PARTICIPANT LIST (ALL PARTICIPANTS) BY:ANC

TCN:50573 SCHEDULED FOR:04/13/95 14:00 TO 16:00 FOR:ANC

PUBLIC HEARING HOUSE HEALTH, EDUCATION & SOCIAL SERVICE

LOCATION:ANCHORAGE

HB 156		GISELLE	BERYERON ✓	HUNTWOOD CHRISTITESTIFY
HB 156		SANDY	BLOMFIELD ✓	TESTIFY
HB 156		STEVEN	PORTER ✓	TESTIFY
HB 156		BILL	MELL ✓	TESTIFY
HB 156		JUSTIN	WALTON ✓	TESTIFY
HB 156		JOSHUA	WALTON ✓	TESTIFY
HB 156		JONATHAN	WALTON ✓	TESTIFY
HB 156		PAIGE	WALTON ✓	TESTIFY
HB 156		SARAH	WALTON ✓	TESTIFY
HB 156		JERRY JESSY	WALTON ✓	TESTIFY
HB 156		LAUREL	TATSUDA ✓	TESTIFY

.04/13/95

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

LTN1150

14:21:17

PARTICIPANT LIST (ALL PARTICIPANTS)

BY:SOL

TCN:50573

SCHEDULED FOR:04/13/95 14:00 TO 16:00

FOR:SOL

PUBLIC HEARING

HOUSE HEALTH, EDUCATION & SOCIAL SERVICE

LOCATION:KEN/SOL

HB 156	MR.	JOHN	DAHLGREN ✓	KPBSD	TESTIFY
HB 156	MS.	MARYJEAN	YRAGUI ✓	SELF	TESTIFY
HB 156	MS.	ISABEL	HUESTIS ✓	SELF	TESTIFY
HB 156		MARY	HUTCHINSON ✓		TESTIFY
HB 156		MAGGIE	REILLY ✓		TESTIFY

04/13/95

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

LTN1150

14:56:32

PARTICIPANT LIST (ALL PARTICIPANTS)

BY:ANC

TCN:50573

SCHEDULED FOR:04/13/95 14:00 TO 16:00

FOR:ANC

PUBLIC HEARING

HOUSE HEALTH, EDUCATION & SOCIAL SERVICE

LOCATION:ANCHORAGE

HB 156	GISELLE	BERYERON	HUNTWOOD CHRISTITESTIFY
HB 156	SANDY	BLOMFIELD	TESTIFY
HB 156	STEVEN	PORTER	TESTIFY
HB 156	BILL	MELL	TESTIFY
HB 156	JUSTIN	WALTON	TESTIFY
HB 156	JOSHUA	WALTON	TESTIFY
HB 156	JONATHAN	WALTON	TESTIFY
HB 156	PAIGE	WALTON	TESTIFY
HB 156	SARAH	WALTON	TESTIFY
HB 156	JERRY	WALTON	TESTIFY
HB 156	LAUREL	TATSUDA	TESTIFY
HB 156	MATTHEW	BERGERON	TESTIFY
HB 156	MARK	BERGERON	TESTIFY



Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

PLEASE FILL
 IN ALL PARTS
 OF THIS SHEET.
 THANKS!

SUBJECT OF MEETING:
*HB 156: Student Access
 to School Programs*

DATE: ~~4/1/95~~ 4/13/95

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
<i>Sylvia Reynolds</i>	<i>JDHS</i>	<i>10014 Crazy Horse Dr. Juneau, AK.</i>	<i>99801</i>	<i>790-2090</i>	<i>463-1900</i>	<input checked="" type="radio"/> Y <input type="radio"/> N	<i>HB 156</i>
<i>Sheila Peterson</i>	<i>DOE</i>					<input checked="" type="radio"/> Y <input type="radio"/> N	<i>HB 156</i>
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
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