

HB

367

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 11, 1998

FURTHER REFERRALS:

Date of Committee Action: 3/18/98

The FINANCE Committee considered:

HB 367

HOUSE BILL NO. 367

PART-TIME PUBLIC SCHOOL STUDENT ENROLLMENT

“An Act relating to part-time public school students; and providing for an effective date.”

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

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

fiscal note(s) _____ fiscal note(s) DOE, 3/11/98

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>[Signature]</i>	Therriault	X			
<i>[Signature]</i>	Hanley			X	
<i>[Signature]</i>	Mulder	X			
<i>[Signature]</i>	Martin	X			
<i>[Signature]</i>	Kohring	X			
<i>[Signature]</i>	Davies			X	
<i>[Signature]</i>	DAVIS			X	
<i>[Signature]</i>	Kelly	✓			
<i>[Signature]</i>	Foster	X			
<i>[Signature]</i>					
<i>[Signature]</i>					

CHAIR'S SIGNATURE *[Signature]* *[Signature]*
 CO-Chairs Therriault Hanley

FISCAL NOTE

Bill Version: HB 367
(H) Publish Date: 3/11/98

STATE OF ALASKA

1998 LEGISLATIVE SESSION

Revision Date: _____
Title: An act relating to part-time public school students;
and providing for an effective date
Sponsor: Representative Dyson
Requester: House HESS

Department Affected: Education
BRU: K-12 Support
Component: Foundation Program

COMPONENT SERIAL NO. 141

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS
MISCELLANEOUS						
TOTAL OPERATING
CAPITAL EXPENDITURES						
CHANGE IN REVENUES						

FUND SOURCE

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY98) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)

The department believes there is a cost associated with this proposed legislation but is unable to determine the fiscal impact.

Prepared by: Eddy Jeans, School Finance Manager Phone: 465-8679
Division: Education Support Services Date: _____
Approved by Commissioner: Shirley J. Holloway, Ph. D., Commissioner Date: 2-10-98
Agency: Education

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COMMITTEE COPY

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street • Soldotna, AK 99669-7598 • Phone 907/262-5846 • Fax 907/262-9645

File

February 16, 1998

To: Representatives Bunde, Green, Dyson, Porter, Vezey, Brice, Kemplen
Through: John Dahlgren, Superintendent
From: Patrick Hickey, Assistant Superintendent
Subject: **House Bill 367 – Part time student enrollment**

I would like to speak against this amendment. I believe the argument for modification is inaccurate, the proposed change is improper, and the effect on local school districts will result in an invasion of their ability to self govern.

Preferential treatment is not a discriminatory action as described in the proposed amendment. There is no preference made based upon race, creed, sex, disability, or national origin. The state of Alaska has a history of granting benefits to groups of people based upon their level of participation. New students are charged higher college tuition rates if they have not been full time residents of the state. Tourists are charged higher fees than residents for fish & games licenses. Not all state residents are entitled for subsistence permits. Although in all these cases, some people receive preferential treatment, none of it is truly discriminatory because each individual has the same opportunity to qualify for the benefit. It is this personal choice which affords some benefits and excludes others.

Addition of the proposed language would actually generate another "protected class" from which discrimination claims could be leveled against school districts. It is improper to create a "protected class" for which inclusion is solely at the discretion of the individual.

School districts are charged with providing equal access to education. This is currently being accomplished. Those not choosing equal participation should not demand equal benefit. This bill will create the potential for a few anomalies in the education system. 1) a child can enroll in an out of district correspondence course, choose their own curriculum, and guarantee themselves a place in a highly desired elective course. 2) A student will be guaranteed the right to enroll in courses outside a defined attendance area by claiming "part time" status in both areas. 3) Students in private schools will be guaranteed seats in courses not normally available to them.

While I fully support the opportunity for all students to access the educational opportunities of the public school system, I do not support these opportunities at the expense of students fully enrolled in the system. I support the authority of the school board in setting enrollment policies and ask that you reject the amendment.



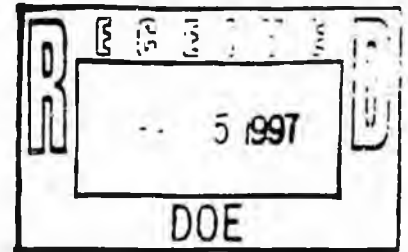
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REPRESENTATIVE FRED DYSON



MEMORANDUM

September 2, 1997

To: Eddy Jeans
School Finance Manager

From: Fred Dyson 
State Representative

RE: 4 AAC 05.035 and Memorandum Number 97-04

From the beginning, HB 158, the part-time student bill, was intended and discussed in committee and on the floor as an anti-discrimination and equal access bill. The Anchorage School District (ASD) and the Kenai School District have implemented policies that require part-time students to wait until full-time students have had the opportunity to enroll. This clearly is discriminatory and contrary to the bill which states that a part-time student can only be denied enrollment if a full-time student would similarly be denied.

The ASD has stated that the reason behind their policy comes from 4 AAC 05.035 (b) (1) "space is available in a course in which the student desires to enroll after full-time public school students have had an opportunity to enroll."

My intent from the bill's conception was to remove the discrimination against part-time students. In order for the regulations to follow the law, I respectfully request that 4 AAC 05.035 (b) (1) be modified as follows:

(1) space is available in a course in which the student desires to enroll [AFTER FULL-TIME PUBLIC SCHOOL STUDENTS HAVE HAD AN OPPORTUNITY TO ENROLL];

Thank you for your help. If you have further questions on this matter, please contact me or my staff aide, Lisa Torkelson, at (907) 694-6683.

- E-mail -
representative_fred_dyson
@legis.state.ak.us

- Internet -
<http://www.akRepublicans.org>

REPRESENTATIVE FRED DYSON



Alaska State Legislature

MEMORANDUM

January 15, 1998

To: Shirley Holloway
Commissioner, Department of Education

From: Fred Dyson
State Representative

RE: Proposed Regulation Change - 4 AAC 05.035
Memorandum Number 97-15

From the beginning, HB 158, the part-time student bill, was intended and discussed in committee and on the floor as an anti-discrimination and equal access bill. The Anchorage School District (ASD) and the Kenai School District have implemented policies that require part-time students to wait until full-time students have had the opportunity to enroll. This clearly is discriminatory and contrary to the bill which states that a part-time student can only be denied enrollment if a full-time student would similarly be denied.

The ASD has stated that the reason behind their policy comes from 4 AAC 05.035 (b) (1) "space is available in a course in which the student desires to enroll after full-time public school students have had an opportunity to enroll."

My intent from the bill's conception was to remove the discrimination against part-time students. In order for the regulations to follow the law, I respectfully request that 4 AAC 05.035 (b) (1) be modified as follows:

(1) space is available in a course in which the student desires to enroll [AFTER FULL-TIME PUBLIC SCHOOL STUDENTS HAVE HAD AN OPPORTUNITY TO ENROLL]*;

Thank you for your help. If you have further questions on this matter, please contact me or my staff aide, Lisa Torkelson, at (907) 465-3467.

*New Text Underlined [DELETED TEXT BRACKETED]



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REPRESENTATIVE FRED DYSON

HB 367 Sponsor Statement

"An Act relating to part-time public school students; and providing for an effective date."

From the beginning, HB 158, the part-time student bill from last Session, was intended and discussed in committee and on the floor as an anti-discrimination and equal access bill. The Anchorage, Valdez, and Kenai School Districts have implemented policies that require part-time students to wait at the back of the line until full-time students have had the opportunity to enroll. This clearly is discriminatory and contrary to the bill which states that a part-time student can **only be denied enrollment if a full-time student would similarly be denied.**

The Anchorage School District (ASD) has stated that the reason behind their policy comes from 4 AAC 05.035 (b) (1) "space is available in a course in which the student desires to enroll after full-time public school students have had an opportunity to enroll."

My intent from the bill's conception was to remove the discrimination against part-time students. This bill will effect that intent within the regulations, 4 AAC 05.035 (b) (1).

- E-mail -
Representative_Fred_Dyson
@Legis.state.ak.us

- Internet -
<http://www.akrepublicans.org>

SPONSOR STATEMENT

cc:Mail for: Representative Fred Dyson

Subject: HB 367

From: halley@alaska.net (CATHERINE M.D. HALLEY) at CC2MHS1 2/27/98 8:20 AM

To: Representative Fred Dyson at LAA_TRANS

We are parents of two children that we home-school in the Valdez district. Valdez is considering a policy right now that would treat part time students as second class citizens, making them wait until all full time students have registered first. This is unfair and not right. We pay full taxes like everyone else and quite generously, I might add in Valdez, and to discriminate against anyone is not what the State of Alaska or the City of Valdez should have in mind. I urge you to support HB 367 to prevent such discrimination.

Catherine M.D. Halley

cc:Mail for: Representative Fred Dyson

Subject: HB 367

From: rutter@alaska.net at CC2MHS1 2/26/98 8:23 PM

To: Representative Fred Dyson at LAA_TRANS

We strongly urge you to support HB 367, which would allow part-time students to register on a first-come, first-serve basis the same way full-time public school students register. The Valdez School District is considering a policy which would require that part-time students wait to register until after full-time students are registered. They can thereby be excluded if the district says that a class is full. This is nothing short of discrimination. Part-time students and their families are taxed at the same rate as every other citizen of Valdez, and should receive the same educational opportunities. We are all citizens of the State of Alaska, which places education as a top priority, and we believe that this applies to the education of all of our children.

Kathy J. Rutter
James B. Rutter III

cc:Mail for: Representative Fred Dyson

Subject: hb 367

From: psilveir@alaska.net (Paul Silveira) at CC2MHS1 2/26/98 7:53 AM

To: Representative Fred Dyson at LAA_TRANS

I am requesting that you support HB 367. As homeschoolers we think it would be appropriate to have first come first serve status in classes at the schools. We pay our taxes that staff and educate in the school without the opportunity to reap a benefit. An opportunity to utilize a class would be fair. Please inform me on the status of this bill after it comes up for vote. Thank you for your time. Sandy Silveira

cc:Mail for: Representative Fred Dyson

Subject: HB 367

From: blessed@alaska.net (Charles & Terina Lochner) at CC2MHS1 2/27/98 8:38 AM

To: Representative Fred Dyson

Dear Hess Committee Members,

I would like to request your support of HB 367. As the Administrative Coordinator of a large homeschooling support group I have seen first hand the determination and dedication of families who choose to homeschool. For most, this choice has been made at great personal and financial sacrifice. These are families striving to provide the best education possible for their children. The ability to access public school facilities is invaluable to this goal. Many classes which are difficult or impossible for homeschooling parents to provide are available at the local school. (For instance, not many homeschooling families can afford to recreate a complete science chemistry lab in their home.) It is the ability to be flexible and to custom fit the curriculum to the child that makes homeschooling an outstanding educational choice. By allowing homeschooled children EQUAL access to public school classes we provide their families with another tool for developing a customized education for each child. This kind of education benefits the State of Alaska as well as our society as a whole.

Please vote yes on HB 367 and support the highest quality education for ALL of Alaska's children!

Sincerely,

Terina Lochner
Administrative Coordinator
Valley Home Education Support Team (73 member families)
P.O. Box 877316
Wasilla, AK 99687

cc:Mail for: Representative Fred Dyson

Subject: HP 367

From: paulp@ptialaska.net (Paul & Tiffani Perry) at CC2MHS1 2/27/98 1:03 AM

To: Representative Fred Dyson at LAA_TRANS

cc: Lisa Torkelson at LAA_TRANS

Just a little note to you sir, and to all it may concern:

We home school, and although none of are children are in the "high school" grades as of yet, we are concerned that discrimination will be an issue. I believe, and hope that you will support and push for equal rights for equal students. I would like to think that if I had a student enrolled part time in a school that I pay full time "taxes" for, that they would not be bumped or passed over for a class so another student, also of full time "tax paying parents" could attend in their place. No special privileges, just equal ones for equal tax paying parents of tomorrows leaders.

Paul Perry
POB 7955
Nikiski, AK 99635
(907) 776-5633
email: paulp@ptialaska.net

POM for Representative Dyson



From: Mrs. Sharon Smith
1017 Kodiak St

Telephone: 474-9457

Fairbanks, AK 99709

NON Constituant

Registered Voter: U

Bill: HB 367 Title: PART-TIME PUBLIC SCHOOL STUDENT ENROLLMENT
Message:

WE SUPPORT HB 367 BECAUSE WE BELIEVE THAT ALL OF OUR STUDENTS SHOULD BE TREATED FAIRLY. WE MUST REMEMBER THAT ALL ALASKANS ARE TAXPAYERS. EDUCATION IS IMPORTANT AND PARAMOUNT. NOW IS THE TIME FOR A QUALITY EDUCATION. TOMORROW COULD BE TOO LATE. OUR CHILDREN ARE PRECIOUS. THANKS SO MUCH.

Entered in FBX on 2/20/98 POMID: 1517 Stored

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Message 4 out of 7.

POM for Representative Dyson



From: Mrs. Conny Robinson
5836 Poker Creek Cir

Telephone: 389-2733

Fairbanks, AK 99712

NON Constituant

Registered Voter: Y

Bill: HB 367 Title: PART-TIME PUBLIC SCHOOL STUDENT ENROLLMEN
Message:

**I SUPPORT THIS BECAUSE ALL STUDENTS IN ALASKA SHOULD HAVE ACCESS TO
PUBLIC FACILITIES SUPPORTED BY PUBLIC TAXES.**

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Message 5 out of 7.

POM for Representative Dyson



From: Mrs. Renee Person
1259 Arctic Tern Dr

Telephone: 457-5887

Fairbanks, AK 99712

NON Constituant

Registered Voter: Y

Bill: HB 367 Title: PART-TIME PUBLIC SCHOOL STUDENT ENROLLMEN

Message:

I SUPPORT THIS BILL BECAUSE ALL ALASKAN STUDENTS SHOULD HAVE ACCESS TO PUBLIC EDUCATION REGARDLESS OF CURRENT EDUCATIONAL STATUS.

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Message 6 out of 7.

POM for Representative Dyson



From: Mrs. Deanne Meyer
PO Box 55751

Telephone: 488-2331

North Pole, AK 99705

CON Constituant

Registered Voter: Y

Bill: HB 367 Title: PART-TIME PUBLIC SCHOOL STUDENT ENROLLMEN
Message:

I SUPPORT THIS BECAUSE I BELIEVE THAT ALL STUDENTS IN ALASKA SHOULD HAVE THE SAME OPPORTUNITY TO ATTEND A PUBLIC FACILITY TO ATTAIN THERE EDUCATION WHETHER IT BE FULL TIME OR PART TIME. THANK YOU.

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Message 7 out of 7.

cc:Mail for: Representative Fred Dyson

Subject: Equal Access to Public Schools

From: gdwartron@ebicom.net (Kip & Donna Wartron) at CC2MHS1 2/10/98 6:27 AM

To: Representative Fred Dyson at LAA_TRANS

Representative Dyson

By way of introduction I am an Alaska Resident and registered voter in Eagle River on duty with the US Air Force in Mississippi.

My wife and I request you consider favorably the bill allowing partime part-time students equal access to classes in the public school. It would make the regulations conform to the original intent of last year's law (allowing part-time students at all), by mandating a non-discriminatory first-come, first-serve policy (not after all full-timers have enrolled).

Our children have attended both public schools and home-schools. Equal access is a must and should not be denied particularly given we pay property taxes which go toward educating all of our children in Alaska.

VR

Lt Col George & Donna Wartron
7393 A Salem Dr
Columbus AFB MS 39701

601-434-6036

gdwartron@ebicom.net

SUPPORT

cc:Mail for: Representative Fred Dyson

Subject: Part time school

From: lahamer@alaska.net (Lee Ann Hamerski) at CC2MHS1 2/7/98 12:26 PM

To: Representative Fred Dyson at LAA_TRANS

Keep up the good work Mr. Dyson. We're behind you 100%
EQUAL ACCESS FOR EQUAL TAXES!!!
Lee Ann, Johann, Kristin, and Erik Hamerski
The Cottonwood Academy

cc:Mail for: Representative Fred Dyson

Subject: HB 367

From: bearcub@alaska.net (Julia Enzenberger) at CC2MHS1 2/27/98 11:28 AM

To: Representative Fred Dyson at LAA_TRANS

I would like to speak in favor of HB 367 which allows part-time students the same treatment as full-time students when it comes to registering for classes.

This bill will help all students, part or full-time. Some times classes are not offered because there is insufficient enrollment and other times classes are crowded because there are not enough students for 2 classes, but too many to comfortably fit in one class. By allowing part-timers to register with full-timers the district will have a clearer picture of how many students want/need different courses.

It isn't right when part-time students can't enroll for AP Chemistry because the class is over-crowded, yet if they had been allowed to make their course selections known during primary registration the district would have seen a need for two AP Chemistry classes. Instead no part-times get to take AP Chemistry and the full-timers are in an over-crowded single class.

Any law that helps a student get a better education is a good law. This law would help students and it is a good law. Please vote in favor of HB 367.

JULIA ENZENBERGER
4835 Newcastle Way
Anchorage, AK 99503
908-561-4111

cc:Mail for: Representative Fred Dyson

Subject: HB367 YES!!!

From: wetherpp@corecom.net (Dennis Wetherell) at CC2MHS1 2/27/98 9:39 AM

To: Representative Fred Dyson at LAA_TRANS

Dear Rep. Dyson,

I am a parent of two children in the Mat-Su school district. I support HB367 because I believe all children should have the right to participate in public education programs. Furthermore, all children should be guaranteed equal access under the law. All parents, in one way or another, contribute tax monies to the public education system, even if their children are homeschooled or enrolled in private school. To deny these children equal access to public education opportunities just because they do not attend public schools full time is clearly a violation of the laws pertaining to a free appropriate public education.

Under current Alaska laws regarding reimbursement for part time students, there is not even a valid criticism that providing such services is a drain on district budgets. A part time student who attends 4 hours per day is considered a full time student for purposes of state reimbursement. Thus, it seems to me, that school districts actually make money by enrolling part time students.

Sincerely,

Dennis Wetherell

D. Wetherell
wetherpp@corecom.net

cc:Mail for: Lisa Torkelson

Subject: Re: HB 367

From: charlieh@alaska.net (The Hardesty's) at CC2MHS1 2:26:98 9:10 PM

To: Lisa Torkelson at LAA_TRANS

Please register my family in support of HB 367. I know this is a very busy time of year for homeschoolers trying to finish up the year, but I'm sure that the support would be equally overwhelming as it was originally.

Thank you for fighting for equal rights for all children. This bill would certainly stand for equality. Thanks again.

Joanne Hardesty
Nikiski, Alaska

cc:Mail for: Representative Fred Dyson

Subject: <No subject>

From: linat@corecom.net (Tina Thomson) at CC2MHS1 2/26/98 5:19 PM

To: Representative Fred Dyson at LAA_TRANS

Please support HB 367 that would allow part-time and full time students the same privileges. Our home schooled students work just as hard and deserve this equal treatment. Please show your support for educational choice. I would appreciate this fair treatment.

Thank you,
Tina Thompson

cc:Mail for: Representative Fred Dyson

Subject: Support for HB 367

From: dclover@ptialaska.net (Dave and Sue Clover) at CC2MHS1 2/27/98 9:04 AM

To: Representative Fred Dyson at LAA_TRANS

Dear Representative Dyson,

I cannot attend today's hearing but I would like express my support of HB 367, the bill to clarify the enrollment procedures for part-time students in the public schools. I agree that all students of the same grade level should be treated equally at registration. Public education should be equally accessible to all students of the State of Alaska. Thank you for your introduction of this bill.

On a personal note, my daughter has taken advantage of part-time enrollment to take French at the local middle school. In her first classroom experience she is doing well and has a "A" in the class. She is very conscientious about getting her homework done and being ready for school in the morning and she is usually up before any of the rest of the family.

The teacher mentioned that the only problems my daughter has had have been to forget her pencil a couple of times "unlike some of the students that do not want to be here" (in class). My daughter has mentioned that the teacher has had to send students to the hall because of the disruptions they cause in the class. Should students that want to learn and do not cause behavioral disruptions in class be discriminated against in registration in favor of full-time students that "do not want to be there?"

Again, thank you for your support and your introduction of this bill.

Sue Clover
dclover@ptialaska.net
4413 Julep Street
Juneau, AK 99801

Subject: Re: HB 367 support

From: smiley@alaska.net at CC2MHS1 2/27/98 10:52 AM

To: Lisa Torkelson

I support this bill
It allows fair access to education for all students
Please pass this bill
Karen Hurley
333-3673

cc:Mail for: Representative Fred Dyson

Subject: Part Time Student Status

From: AK49CURT@aol.com at CC2MHS1 2/27/98 1:57 PM

To: Representative Fred Dyson at LAA_TRANS

I am all for it. Part time students should get equal status with full timers.
Reason for this, it is time the school district wakes up and really takes a
good hard look at our educational system. All taxpayers pay for this perk, all
should be able to be parttakers if they want to not by all means forced to.
Melody Graham in Eagle River.