

SCOMM

125:54

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271

Senate

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

Senate District Q

CSSB 11 (FIN) "An Act relating to required school attendance; and providing for an effective date."

Sponsor: Senator Gene Therriault

Sponsor Statement

SB 11 requires a parent or guardian who elects to enroll a child in first grade at the age of six to maintain the child in attendance. It does not take away the parent's option of choosing public, private or home schooling. It also does not take away the option of enrolling a child in Kindergarten at age 5 or 6. Finally, it does not take away any of the exemptions for allowable absences currently provided under existing law.

Research indicates that earlier education is beneficial, and in fact most children in Alaska are enrolled by the age of 6. However, a small percentage of students who are enrolled do not actually attend on a regular basis because state law does not require attendance until age 7. So even though a six-year-old might be enrolled in school, he/she could miss unlimited number of days and still not be considered truant. This places a burden on teachers to keep that student up with the rest of the class and increases the potential for the student to be "held back."

SPONSOR STATEMENT

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 15, 2002

FURTHER REFERRALS: HES

Date of Committee Action: April 3, 2002

The HOUSE SPECIAL COMMITTEE ON EDUCATION Committee considered:

CSSB 11(FIN)

CS FOR SENATE BILL NO. 11(FIN)

COMPULSORY SCHOOL ATTENDANCE

"An Act relating to required school attendance; and providing for an effective date."

Recommends it be replaced with _____ CS _____ (_____) [] Same Title [] New Title
For Senate Bills with new title: [] Technical Title [] New Title: HCR _____

[] attach amendments

☐ add new referral to Committee

Letter of Intent Committee

*List of
Abbrev.
for
Depts.:*
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LAA
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

[illegible][illegible]

Signing with recommendations	Printed Last Name	D?	DNP	NR	AM
<i>[Signature]</i>	GUESS	✓			
Brian Porter	PORTER	✓			
Beggy Wilson	Wilson	✓			
<i>[Signature]</i>	Green			✓	
Chair: <i>[Signature]</i>	Bunde	✓			
Chair:					

**Current Statute on Compulsory Attendance
With Language from CSSB 11(FIN)**

Sec. 14.30.010. When attendance compulsory.

(a) Every child between seven and 16 years of age shall attend school at the public school in the district in which the child resides during each school term. Every parent, guardian or other person having the responsibility for or control of a child between seven and 16 years of age shall maintain the child in attendance at a public school in the district in which the child resides during the entire school term, except as provided in (b) of this section.

(b) This section does not apply if a child

(1) is provided an academic education comparable to that offered by the public schools in the area, either by

(A) attendance at a private school in which the teachers are certificated according to AS 14.20.020 ;

(B) tutoring by personnel certificated according to AS 14.20.020 ; or

(C) attendance at an educational program operated in compliance with AS 14.45.100 - 14.45.200 by a religious or other private school;

(2) attends a school operated by the federal government;

(3) has a physical or mental condition that a competent medical authority determines will make attendance impractical;

(4) is in the custody of a court or law enforcement authorities;

(5) is temporarily ill or injured;

(6) has been suspended or expelled under AS 14.03.160 or suspended or denied admittance under AS 14.30.045 ;

(7) resides more than two miles from either a public school or a route on which transportation is provided by the school authorities, except that this paragraph does not apply if the child resides within two miles of a federal or private school that the child is eligible and able to attend;

(8) is excused by action of the school board of the district at a regular meeting or by the district superintendent subject to approval by the school board of the district at the next regular meeting;

(9) has completed the 12th grade;

(10) is enrolled in

(A) a state boarding school established under AS 14.16; or

(B) a full-time program of correspondence study approved by the department; in those school districts providing an approved correspondence study program, a student may be enrolled either in the district correspondence program or in the centralized correspondence study program;

(11) is equally well-served by an educational experience approved by the school board as serving the child's educational interests despite an absence from school, and the request for excuse is made in writing by the child's parents or guardian and approved by the principal or administrator of the school that the child attends;

(12) is being educated in the child's home by a parent or legal guardian.

(c) If a parent, legal guardian, or other person having the responsibility for or control of the child elects to enroll a child who is six years of age in the first grade at a public school, after enrollment, the child is subject to the provisions of (a) and (b) of this section.

This Act takes effect July 1, 2002.

>
> Here is one example of why the current statute is ineffective. Currently
> the Division of Youth and Family Services is supposed to pursue truancy
> in the state along with the School Districts and Boroughs. The
> Fairbanks North Star Borough pursues this as best they can given the
> limits they have. One of many cases this year is of a child who of five
> years old that missed 75 days of school last year due to the failure of
> the parent to get them to school. The child was five, Kindergarten was
> not mandatory so the parent felt no compulsion to meet the child's
> educational need. The only consequence was educational neglect and the
> there was nothing the Borough, D.F.Y.S. or School district could do to
> about it. Now at age six the child has missed 59 days of school. All
> pertinent information about parent contacts, absences and educational
> difficulties was turned over to the District Attorney by the School
> District only to be told that due to State law there was nothing that
> they could do until the law was amended/changed. Their hands are tied
> while this little girls education and future is further neglected. We
> have discussed that at the State wide Principals conference and agreed
> that a change needs to happen a.s.a.p. The educational future of this
> young child and many like her depends on our ability to get these
> children into school and keep them there. Please do your part by
> changing this part of the state statute so we can better do our part for
> these children. Thank you.

>
> Sincerely Yours

>
> David Pfrimmer, Principal
> North Pole Elementary

SENATE BILL NO. 11

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATORS THERRIAULT, Davis

Introduced: 1/8/01

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the legal age for attending school; and providing for an effective
2 date."

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

4 * **Section 1.** AS 14.30.010(a) is amended to read:

5 (a) Every child between six [SEVEN] and 16 years of age shall attend school
6 at the public school in the district in which the child resides during each school term.
7 Every parent, guardian, or other person having the responsibility for or control of a
8 child between six [SEVEN] and 16 years of age shall maintain the child in attendance
9 at a public school in the district in which the child resides during the entire school
10 term, except as provided in (b) of this section.

11 * **Sec. 2.** This Act takes effect July 1, 2001.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB11
(S) Publish Date: 4/28/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Dev.
Title: An act relating to the legal age for BRU: k-12 Support
attending school... Component: Foundation Program
Sponsor: Senator Therriault
Requester: Senate HESS Component Number: 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
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						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2001) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

AS 14.30.010 amends the compulsory age of a child entering school from age seven to age six.

* There maybe children six years old that are not attending public school. The Department of Education & Early Development has no data to project the potential cost to the foundation program.

Prepared by: Eddy Jeans, School Finance Manager Phone 8679
Division: Education and Support Services Date/Time 2/5/01 12:00 AM
Approved by: Bruce Johnson, Deputy Commissioner of Education Date 2/5/01
Agency: Education & Early Development

For distribution information, call the Governor's Legislative Office

(Rev 1/26/2000 OMB)

Page 1 of 1

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

Senate District Q

Senate

REQUEST FOR HEARING

To: Senator Pete Kelly
Subject: SB 11
Sponsor: Senator Gene Therriault 
Date: March 18, 2002

I would like to respectfully request that SB 11 be scheduled for a hearing before the House Special Committee on Education at the committee's earliest convenience.

SB 11 requires a parent or guardian who elects to enroll a child in first grade at the age of six to maintain the child in attendance. SB 11 does not take away the parent's option of enrolling a child in public, private or home schooling. In addition to ensuring a child receives all the proven benefits of earlier education, SB 11 also addresses a problem created in the classroom when a parent enrolls his or her child in school at the age of 6 but only sends that child to school sporadically until required to do so by state law at age 7. Lowering the mandatory attendance age to 6 will both improve education opportunities for the student and minimize disruptions to the rest of the classroom.

Probable supporters include teachers and school principals.

I would like to request a teleconference to the Fairbanks Legislative Information Office.
Thank you.

Bill Analysis: SB 11

Bill Title: "Compulsory School Attendance"

Sponsor: Senator Gene Therriault (Senator Davis, co-sponsor)

Bill Would:

- 1) Require parents who enroll children in school at age six to maintain the child in attendance.
- 2) Keeps the current exceptions in statute for children who are:
 - In private school
 - Being tutored by certificated personnel
 - Attending a federal school
 - In the custody of law enforcement
 - Temporarily ill or injured
 - Suspended, expelled or denied admittance
 - Living more than two miles from a school or bus route
 - Excused from attendance by the school board
 - Completed 12th grade
 - Attending boarding school
 - Attending a full-time correspondence school program
 - Equally well-served by another educational program approved by the school board, or
 - Home-schooled.

Possible Questions:

- 1) Why specify six year-olds who are enrolled in first grade? Why not also include five year-olds when parents choose to enroll their children in kindergarten?
- 2) What was the opposition to extending compulsory school attendance to six year olds for first grade?

Available to Testify:

- 1) Senator Therriault with Wilda Rodman (staff)
- 2) Eddy Jeans
- 3) David Pfrimmer, Principal, North Pole Elementary
- 4) Tim Doran, President, AK Assoc. of Elementary School Principals
- 5) Debbie Ossiander, Anchorage School Board (by offnet)

Teleconference Sites:

Fairbanks, Wrangell, Kotzebue, Kodiak, and Anchorage.

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSB 11(FIN)
 (S) Publish Date: 3/6/02

Revision Date/Time (Note if correction):
 Title "An Act relating to required school attendance"

Dept. Affected: Education & Early Development
 BRU K-12 Support
 Component Foundation Program

Sponsor Senator Therriault
 Requester S Finance

Component No. 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: _____

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Adds a new subsection to AS 14.30.010 that requires a six year old to comply with compulsory attendance once the child is enroll in public school. The compulsory school age remains at seven but once a parent enrolls a six year old in a public school they are required to attend.

Prepared by: Eddy Jeans, School Finance Manager
 Division Education and Early Development
 Approved by: Ed McLain, Deputy Commissioner
 Agency Education and Early Development

Phone 465-8679
 Date/Time 3/5/02 11:51 AM
 Date 3/5/2002

**Current Statute on Compulsory Attendance
With Language from CSSB 11(FIN)**

Sec. 14.30.010. When attendance compulsory.

(a) Every child between seven and 16 years of age shall attend school at the public school in the district in which the child resides during each school term. Every parent, guardian or other person having the responsibility for or control of a child between seven and 16 years of age shall maintain the child in attendance at a public school in the district in which the child resides during the entire school term, except as provided in (b) of this section.

(b) This section does not apply if a child

(1) is provided an academic education comparable to that offered by the public schools in the area, either by

(A) attendance at a private school in which the teachers are certificated according to AS 14.20.020 ;

(B) tutoring by personnel certificated according to AS 14.20.020 ; or

(C) attendance at an educational program operated in compliance with AS 14.45.100 - 14.45.200 by a religious or other private school;

(2) attends a school operated by the federal government;

(3) has a physical or mental condition that a competent medical authority determines will make attendance impractical;

(4) is in the custody of a court or law enforcement authorities;

(5) is temporarily ill or injured;

(6) has been suspended or expelled under AS 14.03.160 or suspended or denied admittance under AS 14.30.045 ;

(7) resides more than two miles from either a public school or a route on which transportation is provided by the school authorities, except that this paragraph does not apply if the child resides within two miles of a federal or private school that the child is eligible and able to attend;

(8) is excused by action of the school board of the district at a regular meeting or by the district superintendent subject to approval by the school board of the district at the next regular meeting;

(9) has completed the 12th grade;

(10) is enrolled in

(A) a state boarding school established under AS 14.16; or

(B) a full-time program of correspondence study approved by the department; in those school districts providing an approved correspondence study program, a student may be enrolled either in the district correspondence program or in the centralized correspondence study program;

(11) is equally well-served by an educational experience approved by the school board as serving the child's educational interests despite an absence from school, and the request for excuse is made in writing by the child's parents or guardian and approved by the principal or administrator of the school that the child attends;

(12) is being educated in the child's home by a parent or legal guardian.

(c) If a parent, legal guardian, or other person having the responsibility for or control of the child elects to enroll a child who is six years of age in the first grade at a public school, after enrollment, the child is subject to the provisions of (a) and (b) of this section.

This Act takes effect July 1, 2002.

>
> Here is one example of why the current statute is ineffective. Currently
> the Division of Youth and Family Services is supposed to pursue truancy
> in the state along with the School Districts and Boroughs. The
> Fairbanks North Star Borough pursues this as best they can given the
> limits they have. One of many cases this year is of a child who of five
> years old that missed 75 days of school last year due to the failure of
> the parent to get them to school. The child was five, Kindergarten was
> not mandatory so the parent felt no compulsion to meet the child's
> educational need. The only consequence was educational neglect and the
> there was nothing the Borough, D.F.Y.S. or School district could do to
> about it. Now at age six the child has missed 59 days of school. All
> pertinent information about parent contacts, absences and educational
> difficulties was turned over to the District Attorney by the School
> District only to be told that due to State law there was nothing that
> they could do until the law was amended/changed. Their hands are tied
> while this little girls education and future is further neglected. We
> have discussed that at the State wide Principals conference and agreed
> that a change needs to happen a.s.a.p. The educational future of this
> young child and many like her depends on our ability to get these
> children into school and keep them there. Please do your part by
> changing this part of the state statute so we can better do our part for
> these children. Thank you.
>
> Sincerely Yours
>
> David Pfrimmer, Principal
> North Pole Elementary

SENATE BILL NO. 11

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATORS THERRIAULT, Davis

Introduced: 1/8/01

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the legal age for attending school; and providing for an effective**
2 **date."**

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

4 * **Section 1.** AS 14.30.010(a) is amended to read:

5 (a) Every child between six [SEVEN] and 16 years of age shall attend school
6 at the public school in the district in which the child resides during each school term.
7 Every parent, guardian, or other person having the responsibility for or control of a
8 child between six [SEVEN] and 16 years of age shall maintain the child in attendance
9 at a public school in the district in which the child resides during the entire school
10 term, except as provided in (b) of this section.

11 * **Sec. 2.** This Act takes effect July 1, 2001.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB11
(S) Publish Date: 4/28/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Dev.
Title: An act relating to the legal age for BRU: k-12 Support
attending school... Component: Foundation Program
Sponsor: Senator Therriault
Requester: Senate HESS Component Number: 141

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
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						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2001) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

AS 14.30.010 amends the compulsory age of a child entering school from age seven to age six.

* There maybe children six years old that are not attending public school. The Department of Education & Early Development has no data to project the potential cost to the foundation program.

Prepared by: Eddy Jeans, School Finance Manager Phone 8679
Division: Education and Support Services Date/Time 2/5/01 12:00 AM
Approved by: Bruce Johnson, Deputy Commissioner of Education Date 2/5/01
Agency: Education & Early Development

For distribution information, call the Governor's Legislative Office