

**SB**

**11**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

FEB 28 2000

SENATE FINANCE  
COMMITTEE

DATE: 4/28/01

FURTHER:

DATE TURNED IN TO OFFICE: 1 March 2002

Finance Committee considered **SENATE BILL NO. 11**

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

and recommends:

- be replaced with CS SB 11 ( FIN )
- adopt previous CS ( )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

same title

new title

**House Bill:**

same title

technical title

new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
Education	2/5/01	*		#1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>			✓	
<i>[Signature]</i>				
<i>[Signature]</i>				
<i>[Signature]</i>				
<i>[Signature]</i>				
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

# FISCAL NOTE

REPORTED OUT  
  
FEB 28 2000  
  
SENATE FINANCE  
COMMITTEE

**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						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	*	*	*	*	*	*

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

SENATE FINANCE  
COMMITTEE  
Amendment Number: #2  
Bill Number: SB 11  
Sponsor: Leman Date: 2/24/02  
Logged In By: Mindy  
original

22-LS0266VA.1  
Ford  
2/22/02

AMENDMENT

OFFERED IN THE SENATE  
TO: SB 11

BY SENATOR LEMAN

- 1 Page 1, line 1:
- 2 Delete "the legal age for attending school"
- 3 Insert "required school attendance"
- 4
- 5 Page 1, lines 4 - 10:
- 6 Delete all material and insert:
- 7 **\*\* Section 1.** AS 14.30.010 is amended by adding a new subsection to read:
- 8 (c) If a parent, legal guardian, or other person having the responsibility for or
- 9 control of the child elects to enroll a child who is six years of age in first grade at a
- 10 public school, after enrollment, the child is subject to the provisions of (a) and (b) of
- 11 this section."
- 12
- 13 Page 1, line 11:
- 14 Delete "2001"
- 15 Insert "2002"

SENATE FINANCE COMMITTEE  
2/17/2002 COMMITTEE ACTION

Bill Number	SB 11		
Amendment	#2		
Motion	adpt		
<u>Motion by</u>	Leman		
<u>Objection by</u>	Hoffman?		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Austerman	✓		
Senator Green	✓		
Senator Hoffman			✓
Senator Leman	✓		
Senator Olson	✓		
Senator Ward	✓		
Senator Vanden	✓		
Co-Chair Jonley	✓		
Co-Chair Kelly	✓		
<u>Tally</u>			
Yea	8		
Nay	1		
Absent	-		
<u>MOTION</u>	PASS		

**CS FOR SENATE BILL NO. 11(FIN)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY THE SENATE FINANCE COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): SENATORS THERRIAULT, Davis**

**A BILL**

**FOR AN ACT ENTITLED**

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

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

3 \* Section 1. AS 14.30.010(a) is amended by adding a new subsection to read:  
4 *included in error*  
5 *correction to follow*

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

\* Sec. 2. This Act takes effect July 1, 2002.

**CS FOR SENATE BILL NO. 11(FIN)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY THE SENATE FINANCE COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): SENATORS THERRIAULT, Davis**

**A BILL**

**FOR AN ACT ENTITLED**

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

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

3 *Correction: deleted "(a)"*  
4 **\* Section 1.** AS 14.30.010 is amended by adding a new subsection to read:

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

**\* Sec. 2.** This Act takes effect July 1, 2002.

NOT OFFERED

SENATE FINANCE  
COMMITTEE #1  
Amendment Number: \_\_\_\_\_  
Bill Number: SB 11  
Sponsor: Witken Date: 2/21/02  
Logged In By: Mindy

22-LS0266A

Sponsored by:  
Sen. Witken

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.

*Needs to be amended to July 1, 2002*

# 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

## REQUEST FOR HEARING

To: Senator Pete Kelly

Subject: SB 11

Sponsor: Senator Gene Therriault 

Date: February 12, 2002

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

Senate Bill 11 lowers the mandatory age for school attendance from 7 years old to 6 years of age. 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 5 or 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.

Attached to this request are:

- o Letters of Support from:
  - o NEA-Alaska
  - o North Pole Elementary Principal David Pfrimmer
  - o Alaska Association of Elementary School Principals
  - o Teachers
- o Exemptions for allowed absences under current law

Probable supporters include teachers and school principals.

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

# 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

**Senate Bill 11** "An Act relating to the legal age for attending school; and providing for an effective date."

**Sponsor:** Senator Gene Therriault

## Sponsor Statement

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Senate Bill 11 lowers the mandatory age for school attendance from 7 years old to 6 years old, requiring students to become involved in a formal educational setting at the age of six. SB 11 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."



# NEA-ALASKA

*Affiliated with the National Education Association*

## NEA-Alaska Position Paper Senate Bill 11

We appreciated Senator Gene Therriault and Senator Bettye Davis introducing SB 11 to lower the compulsory attendance age from seven to age 6. The earlier children are expected to attend school the sooner children will be exposed to opportunities from socialization to learning.

As schools work to implement new learning standards, exposing children to the opportunity to learn at an earlier age will strengthen the foundation upon which a child's learning career is built. The sooner children are exposed to opportunities to learn the sooner children can overcome obstacles to learning.

Most six-year old children, we believe, are enrolled in first grade, so SB 11's impact on facilities and personnel is not clear. Facilities in some school districts are already overcrowded, so additional enrollment may tax those systems even more. It is important that all children have access and are taught in facilities that contribute to learning and child development. Teachers and teaching supplies for children should be provided so students can take full advantage of the opportunity to learn at age 6.

NEA-Alaska supports mandatory kindergarten attendance at age five. Alaska schools are required to offer kindergarten but attendance is not required. Even though SB 11 does not establish mandatory kindergarten enrollment, requiring children to attend first grade at age 6 is a step in the right direction. Expecting children to attend one year sooner than is currently required offers a six-year-old student a greater opportunity to learn.

We commend the sponsors for introducing SB 11.

provided by: Senator Gene Therriault

>  
> 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 girl's 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

# Alaska Association of Elementary School Principals

## Resolution 98-9

Supporting early childhood education and mandatory kindergarten in the State of Alaska.

Submitted by: Alaska Association of Elementary School Principals

WHEREAS research dealing with brain growth and development, along with longitudinal studies on the benefits of Head Start and other early childhood programs correlate with success in school; and

WHEREAS meeting the needs of young children (ages 0-6) has been noted by the Alaska Adolescent Health Committee to be a critical means of preventing problem behaviors among adolescents; and

WHEREAS pre-kindergarten and kindergarten programs provide an excellent opportunity for prevention of school failure; and

WHEREAS presently there is no Alaska State Statute requiring attendance in a kindergarten program by kindergarten-aged children; and

WHEREAS presently, not all five year olds in Alaska attend a kindergarten program;

BE IT THEREFORE RESOLVED that the Alaska Association of Elementary School Principals supports early childhood education and mandatory kindergarten in the state of Alaska.

BE IT FURTHER RESOLVED that the Alaska Association of Elementary School Principals supports full funding of a mandatory kindergarten as well as full funding of transportation to and from school for kindergarten students.

*passed Oct '98*

**Subject: SB 11 Support**

**Date: Tue, 16 Jan 2001 15:04:24 -0900**

**From: Loyola McManus <aaesp@alaska.net>**

**To: Holly Morris <Holly\_Morris@legis.state.ak.us>**

Holly,

The Alaska Association Of Elementary School Principals would be in strong support of lowering the mandatory school age from 7 yrs. to 6 yrs. As you know, our Resolution 98-9 went even further by supporting "mandatory Kindergarten".

It is well known that strong reading skills are a tremendous asset in success in school. In fact much school failure can be traced to the lack of good reading skills. Students who start their formal education with their peers in Kindergarten (age 5) or at the latest First Grade (age 6) have a much better chance of developing the correct language and pre reading skills than those who do not arrive at school until age 7.

A student who first arrives at school at age 7 would be age appropriate for second graders. However academically s/he would most likely fit better with K or First graders. This can be a terrible dilemma for those involved in grade placement.

Do you place a child with others who are socially, physically, and emotionally at his/her level even though s/he will not be able to do the academic work, thus having the early experiences be those of failure?

Do you place a child where s/he fits academically even though s/he would feel s/he were with "babies", fostering negative peer interactions? Both cases would be damaging to the child.

If the mandatory starting age were changed to 6 years, it would be easier socially, physically, and emotionally to place him/her in Kindergarten or if s/he had some language background, to place in First grade without being so far behind.

We at AAESP expressed by our Resolution 98-9 that the very best would be to have all children start at age 5 in Kindergarten to assure an even start and provide strong language and reading development support. With the State focus on "benchmark testing" and the "exit exam" it would seem logical to require attendance at the age when the majority of children first begin their formal schooling.

Another problem with the current requirement of "age 7" is that when a family has truancy problems, a school can pursue the issue in court but may have to exclude the first grader because s/he is not yet 7 and thus "not required" to be in school. This does not help that child or that family develop good educational habits.

We commend Senator Therriault for proposing the lowering of the mandatory age for school attendance and as mentioned above would be pleased to see it go to 5 years of age so that all students start together.

**Subject:** Re: mandatory school agge

**Date:** Wed, 17 Jan 2001 16:13:06 -0900

**From:** Kathie Cook <kathie@northstar.k12.ak.us>

**To:** Holly Morris <Holly\_Morris@legis.state.ak.us>

Glad to....

Last year we had a K child who has major language processing and learning needs. The family wasn't getting him to school....in Jan they withdrew him because "mom was having a tough time with the dark and the cold". He returned this year. Because he missed half of the year he was retained. Of course, the learning needs continue to be an issue. His attendance is better but like last year, starting to be a problem. Our problem...he won't be 7 until next year. No real legal way to enforce him coming to school but BOY!!! does he need to be here.

We are expecting more of our first graders academically. Those that start with first, skipping K (and there are only a few) are really at a disadvantage. Some folks just can't seem to get the daycare together to accommodate the 4.5 hour K schedule so that is why they typically don't do K.

**Subject: Legislative Action**

**Date:** 17 Jan 2001 08:41:03 -0900

**From:** "Marman\_Meg" <marman\_meg@msmail.asd.k12.ak.us>

**To:** "Morris Holly" <Holly\_Morris@legis.state.ak.us>

I received information about a bill being introduced reducing the mandatory school age from 7 to 6 which I want to fully support. I'm presently a principal in Anchorage, but previously taught kindergarten for a number of years. It is essential that we provide a literacy rich environment for our young children at the earliest age possible. This is even more important if the children are living in lower socio-economic environments. Thank you for relaying this information to the appropriate people. Thanks. Meg

provided by:  
Senator Gene Thernault

## Exemptions for enrollment per AS 14.30.010(b)

Section (b) exempts the compulsory attendance age when 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 with certified teachers;
  - (B) tutoring by certified personnel; or
  - (C) religious or private school attendance operated in compliance with AS 14.45.100-14.45.200;
- (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 12<sup>th</sup> 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, whether it is the district or the centralized correspondence 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.

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/8/01

FURTHER: Finance

Date of 5-Day Notice: 02/05/01  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 04/27/01

Health, Education and Social Services Committee considered      SENATE BILL NO. 11

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

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
DEED	2/5/01	*		1

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Bevyn Davys</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>		✓		
CHAIR: <i>[Signature]</i>			✓	

SB 11-COMPULSORY SCHOOL AGE  
SENATE FINANCE COMMITTEE

SIGN-IN

NAME: Eddy Jeans Subject/Bill No: SB 11  
Co./Dept./Title: School Finance Manager Phone: 8679  
Address: EEO Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: Derroll Hargreaves Subject/Bill No: SB 11  
Co./Dept./Title: ACSA Phone: 586-9702  
Address: 326 Fourth St Suite 404 Zip: 99801

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

