

**HB**

**360**

# HOUSE COMMITTEE REPORT

(7)  
Date Referred to Committee: February 19, 2010

FURTHER REFERRALS:

Date of Committee Action: 3/8/2010

The EDUCATION Committee considered:

HOUSE BILL NO. 360

"An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."

**HB 360-YOUTH ACADEMY: STUDENT RECORDS**

Recommends it be replaced with  HCS or  CS for HB 360 (EDC)  
For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for Depts.:

- ADM
- CED
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- DHS
- LWF
- LAW
- LEG
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<b>NEW FISCAL NOTES</b>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
<u>EED</u>				<input checked="" type="checkbox"/>

<b>PREVIOUS FISCAL NOTES</b>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<u>Wp Keller</u>	<u>Keller</u>	<input checked="" type="checkbox"/>			
<u>Latty Munoz</u>	<u>Munoz</u>	<input checked="" type="checkbox"/>			
<u>Beta Gardner</u>	<u>Gardner</u>			<input checked="" type="checkbox"/>	
<u>Beggy Wilson</u>	<u>WILSON</u>	<input checked="" type="checkbox"/>			
<u>Bryce Edgmon</u>	<u>Edgmon</u>			<input checked="" type="checkbox"/>	
Chair: <u>Paul K Seaton</u>	<u>Seaton</u>	<input checked="" type="checkbox"/>			
Chair:					

26-LS1482\P  
Mischel  
3/3/10

**CS FOR HOUSE BILL NO. 360( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - SECOND SESSION**

**BY**

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

**Sponsor(s): REPRESENTATIVE DAHLSTROM**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to the provision of information regarding a student by a school district**  
2 **to the Department of Military and Veterans' Affairs, Alaska Challenge Youth**  
3 **Academy."**

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

5 **\* Section 1.** AS 14.30 is amended by adding a new section to read:

6 **Sec. 14.30.745. Provision of student information to academy.** (a) Except as  
7 provided in (b) of this section, on or before January 15 and July 15 of each year, a  
8 school district shall provide to the director of the Alaska Challenge Youth Academy,  
9 operated by the Department of Military and Veterans' Affairs for the purpose of  
10 educating and training youth, a biannual report containing the name, last known  
11 address, and dates of attendance of a student who

- 12 (1) is at least 15 years of age but less than 19 years of age;
- 13 (2) was enrolled but is no longer enrolled in a school in the district;
- 14 (3) has not provided school transfer or graduation information to a

1 school in the district; and

2 (4) has not received a high school diploma or general educational  
3 development certificate.

4 (b) At the beginning of each school year, a school district shall provide a  
5 written notice to the parent or guardian of the student, or, if the student is at least 18  
6 years of age, to the student, of the disclosure of the information under (a) of this  
7 section and provide an opportunity for objection to the disclosure.

8 (c) The official to whom the information in (a) of this section is provided shall  
9 certify in writing to the school district providing the information that the information  
10 will not be disclosed to any other party except as necessary to recruit and retain  
11 students.

12 (d) In this section, "district" has the meaning given in AS 14.17.990.

13 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15 ALASKA CHALLENGE YOUTH ACADEMY INFORMATION;  
16 APPLICABILITY. AS 14.30.745, added by sec. 1 of this Act, applies to students who were  
17 expelled from or who dropped out of school on or after September 1, 2010.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 3, 2010

**SUBJECT:** Consequences for failure of school district to comply with statute (CS HB 360( ); (Work Order No. 26-LS1482\P))

**TO:** Representative Nancy Dahlstrom  
Attn: Laura Pierre

**FROM:** Jean M. Mischel  
Legislative Counsel 

You have asked about the consequences to a school district for failure to comply with the records provisions contained in HB 360. As in all education law compliance actions, the Department of Education and Early Development is authorized to withhold state funds for non-compliance. AS 14.07.070 states

State funds may not be paid to a school district or teacher that fails to comply with the school laws of the state or with the regulations adopted by the department.

It is likely that the department would provide notice and an opportunity to take corrective action before withholding state funds to avoid a due process challenge under this section.

In addition, under the federal Family Educational Records Privacy Act, 20 U.S.C. 1232g, an act that recognizes privacy rights over education records, federal funding that is provided to the state may be similarly affected for a records handling violation.

If I may be of further assistance, please advise.

JMM:plm  
10-122.plm

Enclosure

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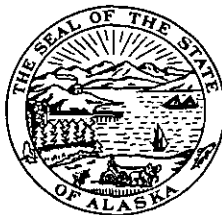
JMM:plm  
10-122.plm

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# ALASKA STATE LEGISLATURE

**Interim:**

10928 Eagle River Road, Suite 238  
Eagle River, Alaska 99577  
Phone: (907) 622-3783  
Fax: (907) 622-3784



**Session:**

Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free (877) 460-3783

## REPRESENTATIVE NANCY DAHLSTROM

### HOUSE RULES COMMITTEE

#### Sponsor Statement

**House Bill 360: "An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."**

A high school diploma is an essential first step for the youth of Alaska to become productive members in our communities. Children who drop out or are expelled from school are unlikely to return to the classroom on their own. It is essential that these at-risk children are presented with every opportunity to enroll in a program that will help them finish their high school diploma or complete their General Education Diploma (GED).

House Bill 360 requires school districts to provide the names, addresses, and dates of attendance of students who have dropped out of high school to the Director of the Alaska Challenge Youth Academy. The school districts would be required to provide this information biannually: January 15<sup>th</sup> and July 15<sup>th</sup>. These deadlines will allow ample opportunity for the Academy staff to reach out to potential students.

The Alaska Challenge Youth Academy is a great option for young people to finish their high school career. The Academy offers a 22-week program designed to help youth achieve their high school goals, but also teaches them life coping skills, job skills, leadership/followership, health and hygiene, physical fitness, and community service. Students can attend the Challenge program to catch up in their academic studies and upon completion return to a local high school for graduation.

According to the Center for Labor Market studies, the earning potential for an individual without a high school diploma is a mere \$11,031 annually. Conversely, a student with a high school diploma or equivalent is \$23,059 annually.

With the passage of House Bill 360 these young people will be given the chance to achieve success at an early age. Our youth are our future and they should be presented with every opportunity available to achieve their high school education. I believe this is one step in affording them this prospect.

I appreciate the committee's consideration of this legislation.

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## REPRESENTATIVE NANCY DAHLSTROM HOUSE RULES COMMITTEE

### Sectional analysis

**House Bill 360: "An Act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans' Affairs, Alaska Challenge Youth Academy."**

#### Section 1:

Amends AS 14.30 by adding a new section mandating the release of certain students' information to the Alaska Challenge Youth Academy. Students must meet the following requirements:

- 1) Between 15 and 19 years old
- 2) Previously enrolled in a school district
- 3) Plans to transfer or graduate were not provided to school
- 4) Have not earned a diploma or GED

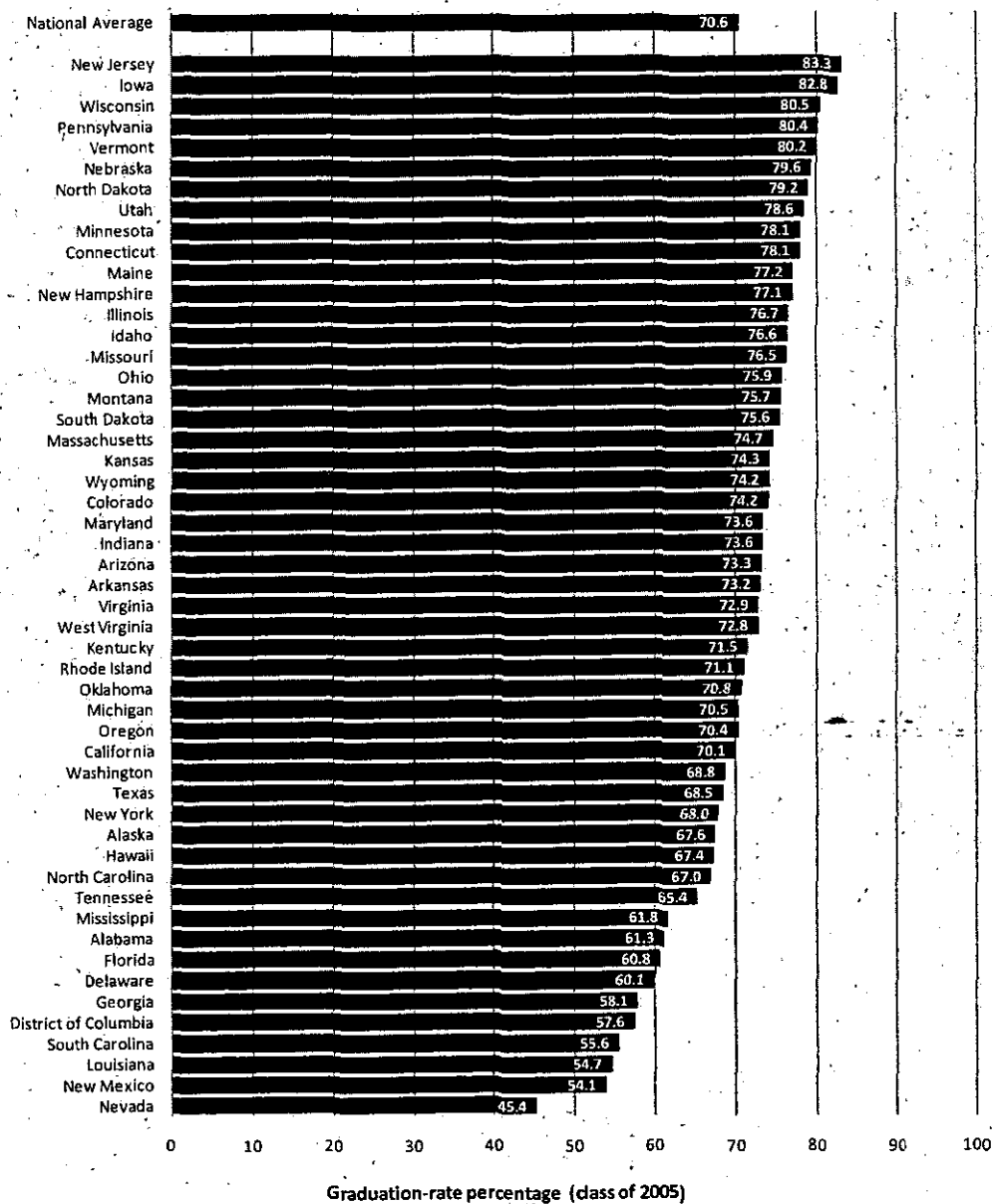
Their contact information will be provided to the Alaska Challenge Youth Academy biannually, on or before January 15 and July 15.

The school will notify the parent in writing before the information is released to the academy. If the student is 18 years of age or older, the notification will be provided to the student. The parent or student has 10 days to object. If there is objection, the district may not release the information.

The school district will not provide the information to any other entities, and they will certify the confidentiality of the students' information in writing.

## Graduation in the United States

About 71 percent of all public school students in the nation graduated from high school with a regular diploma in the class of 2005. Thirty-eight percentage points separate the graduation rates in the best-performing and worst-performing states. More than eight in 10 students graduate in Iowa, New Jersey, Pennsylvania, Vermont, and Wisconsin. But that proportion drops to fewer than six in 10 in the District of Columbia, Georgia, Louisiana, Nevada, New Mexico, and South Carolina. Results reported in *Diplomas Count 2008* show that between 2001 and 2005 the nation's graduation rate increased by 2.6 percentage points, signaling slow but steady progress.



STATE PROFILE 2004-05

Graduation Profile for the Class of 2005

Graduation Rate by Student Group

	Alaska State Average	National Average
	(%)	(%)
<b>All Students</b>	67.6	70.6
<b>By Gender</b>		
Male	61.8	67.8
Female	71.7	75.3
<b>By Race and Ethnicity</b>		
American Indian/Alaska Native	46.8	50.6
Asian/Pacific Islander	67.8	81.3
Hispanic	24.4	57.8
Black (not Hispanic)	59.0	55.3
White (not Hispanic)	74.4	77.6
<b>By Gender and Race and Ethnicity</b>		
<b>Male</b>		
American Indian/Alaska Native	42.0	45.8
Asian/Pacific Islander	70.6	77.5
Hispanic	‡	52.0
Black (not Hispanic)	48.7	48.2
White (not Hispanic)	70.7	74.3
<b>Female</b>		
American Indian/Alaska Native	50.5	52.5
Asian/Pacific Islander	69.8	82.8
Hispanic	57.1	62.7
Black (not Hispanic)	65.9	61.3
White (not Hispanic)	77.7	79.8

† Value not calculated because necessary data field(s) not reported in the Common Core of Data, the U.S. Department of Education database used for this analysis.  
 ‡ Value not reported because of insufficient data for reliable estimate.

**Table 70: Reported Reasons for Dropping Out**

Dropout Reason	Count	Percent	Dropout Reason	Count	Percent
<b>Grade 7</b>			<b>Grade 8</b>		
Expelled	3	13.04%	Expelled	3	13.04%
Due to Illness	1	4.35%	Failing	1	4.35%
Non-attendance	8	34.78%	Non-attendance	7	30.43%
Family problem	1	4.35%	Non-district sponsored home school	5	21.74%
Unknown	10	43.48%	Administrative Drop	1	4.35%
<b>Total Grade 7</b>	<b>23</b>	<b>100.00%</b>	Unknown	6	26.09%
			<b>Total Grade 8</b>	<b>23</b>	<b>100.00%</b>
<b>Grade 9</b>			<b>Grade 10</b>		
Expelled	6	5.50%	Expelled	16	9.82%
Due to Illness	2	1.83%	Due to Illness	1	0.61%
Failing	1	0.92%	Failing	1	0.61%
Non-attendance	71	65.14%	Employment	1	0.61%
G.E.D.	2	1.83%	Non-attendance	98	60.12%
Enter Military	1	0.92%	G.E.D.	11	6.75%
Non-district sponsored home school	5	4.59%	Enter Military	3	1.84%
Family problem	3	2.75%	Non-district sponsored home school	6	3.68%
Administrative Drop	2	1.83%	Family problem	3	1.84%
Unknown	16	14.68%	Administrative Drop	9	5.52%
<b>Total Grade 9</b>	<b>109</b>	<b>100.00%</b>	Pregnancy	1	0.61%
			Unknown	13	7.98%
<b>Grade 11</b>			<b>Total Grade 10</b>	<b>163</b>	<b>100.00%</b>
Expelled	15	7.35%	<b>Grade 12</b>		
Due to Illness	1	0.49%	Expelled	8	2.14%
Employment	3	1.47%	Due to Illness	4	1.07%
Non-attendance	126	61.76%	Employment	12	3.22%
G.E.D.	19	9.31%	Non-attendance	198	53.08%
Non-district sponsored home school	3	1.47%	G.E.D.	48	12.87%
Family problem	1	0.49%	Enter Military	2	0.54%
Administrative Drop	16	7.84%	Non-district sponsored home school	8	2.14%
Pregnancy	1	0.49%	Family problem	4	1.07%
Unknown	19	9.31%	Administrative Drop	27	7.24%
<b>Total Grade 11</b>	<b>204</b>	<b>100.00%</b>	Pregnancy	2	0.54%
			Unknown	60	16.09%
<b>Grades 7-12</b>			<b>Total Grade 12</b>	<b>373</b>	<b>100.00%</b>
Expelled	51	3.59%	Enter Military	6	1.37%
Due to Illness	9	0.32%	Non-district sponsored home school	27	6.23%
Failing	3	1.69%	Family problem	12	0.42%
Employment	16	56.49%	Administrative Drop	55	0.95%
Non-attendance	508	8.87%	Pregnancy	4	0.63%
G.E.D.	80	6.02%	Unknown	124	13.41%
			<b>Total Grades 7-12</b>	<b>895</b>	<b>100.00%</b>



Sean Parnell, GOVERNOR

P. O. BOX 5800

Ft Richardson, ALASKA 99505-5800

PHONE: (907) 428-6003

FAX: (907) 428-6019

**DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**  
**OFFICE OF THE COMMISSIONER**

February 26, 2010

Rep. Nancy Dahlstrom:

I offer this letter as my official statement of support for House Bill 360, "An act relating to the provision of information regarding a student by a school district to the Department of Military and Veterans Affairs, Alaska Challenge Youth Academy."

The Alaska Challenge Youth Academy, what we call the Alaska Military Youth Academy, is a last stop for teens to reset their life and get back on the track to be a productive member of our communities. Our school provides a military-style training and discipline environment to high school dropouts who voluntarily attend the 22-week residential course. The AMYA offers students the opportunity to: receive 7 high school credits that will allow the student to go back into the public school system, a General Education Diploma, and multiple job training certifications that, combined with internships, allow for quick job placement after the residential phase of the program.

Because the AMYA is a completely voluntary program, the Department of Military and Veterans Affairs must advertise to reach candidates for this program. By supporting HB 360, the legislature will allow the AMYA to send a recruitment brochure to each high school dropout showing one alternative that will help the teen get back on track to complete their high school education. We can narrow our focus by simply having the school districts send the AMYA the names and contact information of known dropouts.

Our goal is to help high school dropouts finish their basic education requirements and become positive members of our great state. Every school is designed to help students achieve the most out of life, let's allow our traditional high schools to work with the AMYA to help every student, especially the ones who have dropped out, achieve success.

Sincerely,

Brigadier General Thomas H. Katkus  
Commissioner

**Louie Flora**

---

**Subject:** FW: HB 360 Information request

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**From:** Norman Eck [mailto:norman\_eck@nwarctic.org]  
**Sent:** Wednesday, March 03, 2010 5:03 PM  
**To:** Louie Flora  
**Cc:** Sen. Donny Olson; Rep. Reggie Joule; J.M. Walsh Company, Inc.; wendyc@gci.net; kdawson@alaska.com  
**Subject:** Re: HB 360 Information request

Sir,

Thank you for requesting input on this proposed measure. the Northwest Arcdtic Borough School District feels that this would be an unfair burden to place upon our central office to fulfill the requirements of this bill. TH 360 is an unfunded mandate, and schools already have too many of these with NCLB and IDEA (special education).

We provide dropout information to the Department of Education at year's end. This is in the Report Card to the Public. It takes several weeks of work to compile this information and we have no time during the regual school year to do this work. Only after the school year is out do we have the several weeks that it takes up to complete the Report.

Again, let me say that this would place an expensive burden upon our district to comply with HB 360. HB 360 would become one more unfunded mandate taking resources away from out students.

Dr. Norman Eck  
Superintendent  
Northwest Arctic Borough School District

Louie Flora <[Louie\\_Flora@legis.state.ak.us](mailto:Louie_Flora@legis.state.ak.us)> on Sunday, February 28, 2010 at 5:30 PM -0800 wrote:

Hi,

||

Representative Seaton asked me send to each district a notice that HB 360 YOUTH ACADEMY: STUDENT RECORDS will be heard on Monday in House Education. HB 360 (text posted below) requires twice annual reports to the Alaska Challenge Youth Academy.

||

Representative Seaton would like to know if districts already screen their information in a way to easily accomplish the requirement or if this is a significant burden for any rural or urban district for compliance with the proposed new statute.

Thank you,

Louie Flora

House Education Committee Aide,

Representative Paul Seaton, Chairman

(907) 465-3923

HOUSE BILL NO. 360

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**Louie Flora**

---

**Subject:** FW: HB 360 Information request

**From:** Brad Allen [mailto:ballen@kuspuk.org]

**Sent:** Tuesday, March 02, 2010 1:15 PM

**To:** Louie Flora

**Subject:** Re: HB 360 Information request

Louie,

I've checked with my student records folks and they said it wouldn't be a huge impact on them to get this information to the Youth Academy, requiring a little more of their time depending on the number of times they would need to report this to the agency.

But remember that we are a small district (only 340 total students K-12) so we wouldn't have really large numbers to report so that makes it a little easier than some of the larger districts.

Thank you,

Brad Allen

Superintendent - Kuspuk School District

**Louie Flora**

---

**From:** David Means, Director of Administrative Services [david\_means@jsd.k12.ak.us]  
**Sent:** Tuesday, March 02, 2010 8:54 AM  
**To:** Louie Flora  
**Cc:** Glenn Gelbrich  
**Subject:** HB 360

Hi

Superintendent Gelbrich asked me to respond to your inquiry.

This won't impose a difficult or impossible burden on the District, but it imposes an additional requirement that someone in the District will have to identify the students, send out information, and notify the Alaska Alaska Youth Challenge Academy. I estimate this will take roughly 8 hours twice a year.

By the way, you may want to add "death" of the student as a reason not to provide information.

Sincerely

David Means  
Director of Administrative Services  
Juneau School District

## Louie Flora

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**From:** Woody Wilson [wwilson@wrangellschools.org]  
**Sent:** Monday, March 01, 2010 11:40 AM  
**To:** Louie Flora  
**Subject:** HB 360  
**Attachments:** Drop out Report Card info.xlsx

Louie,

I have attached the information on drop outs that is already collected by DEED for the Report Card to the Public. We only do this once per year (goes out about the time school starts) and it is, of course, not the only thing in the Report Card. To have to do it all over in January would be more trouble. We could simply report who has been dropped administratively. It is not likely that most students will come in and let us know they are dropping. Most of them just don't show up and become truant. We call that an administrative drop. In Wrangell that is when we start looking for them and see if there is anything we can do to bring them back.

If an arm of DEED, the Alaska Challenge Youth Academy, wants this information, they already have it annually in the Report Card. It would be nice if you didn't bother us to give them something else that they already have.

As always, thanks for asking.

Woody Wilson, Superintendent  
Wrangellschools.org  
907-874-2347

Mr. Flora,

Our student record system could provide us with name and last known contact information without too much trouble. Getting a notice out to parents would be a bit of a burden.

Gary Baldwin  
Superintendent  
Lower Kuskokwim School District  
Phone (907) 543-4912  
Fax (907)543-4904  
[gary\\_baldwin@lksd.org](mailto:gary_baldwin@lksd.org)

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6 years of age, to the student, of the disclosure of the information under (a) of this  
7 section and provide an opportunity for objection to the disclosure.

8 (c) The official to whom the information in (a) of this section is provided shall  
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10 will not be disclosed to any other party except as necessary to recruit and retain  
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12 (d) In this section, "district" has the meaning given in AS 14.17.990.

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More than  
**2,927**

at-risk youth have graduated from the Alaska Military Youth Academy's National Guard Challenge program since its inception in 1994



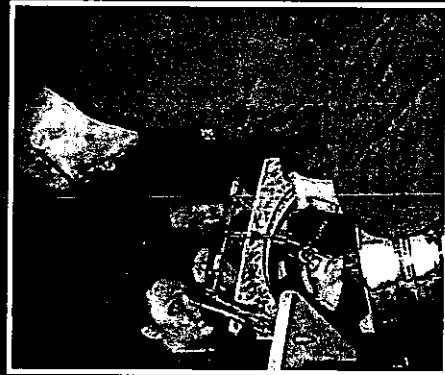
Over **80%** of the program's graduates go on to become successful citizens by joining the work force, the military or continuing their education

For more information about the Alaska Military Youth Academy call:

Anchorage Office:  
907.375.5556  
907.375.5554

Toll Free: 877.242.5643

Fairbanks Office:  
907.374.7960



"Before coming to AMYA everything was going down hill, all my dreams were falling away. AMYA changed everything, I felt like I could reach for my dreams again. It taught me how to be a better person"

Emmanuel Howes  
AMYA Graduate  
Class 2009-1

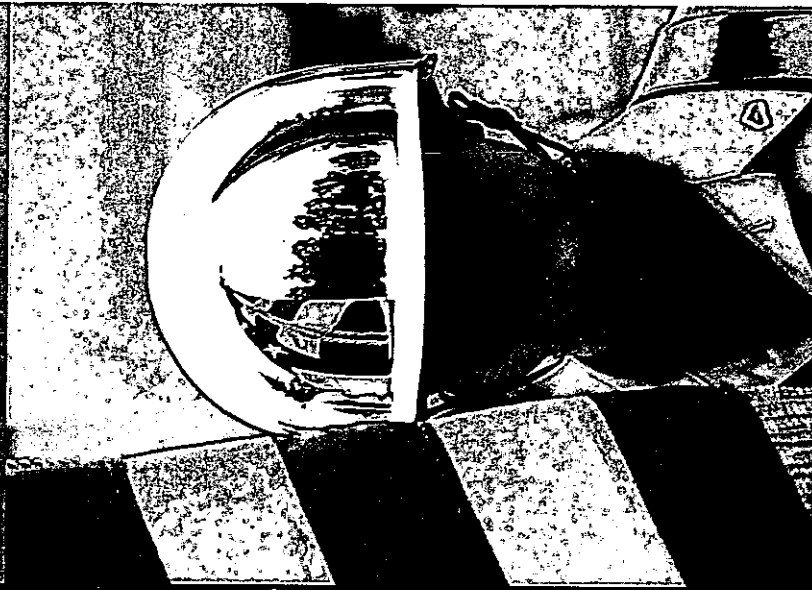
**Dream,**

*Believe,*

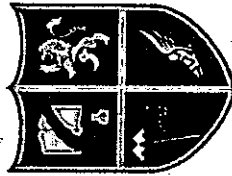
**ACHIEVE**

# Alaska Military Youth Academy

The mission of the National Guard Alaska Military Youth Academy Challenge Program is to intervene in and reclaim the lives of at-risk youth. We produce program graduates with the values, skills, education, and self-discipline necessary to succeed as adults

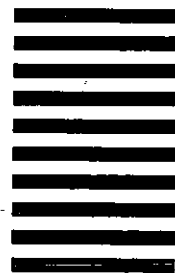


We want to assist you in completing your High School Education



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## ALASKA MILITARY YOUTH ACADEMY

Admissions Office  
PO Box 5727  
Ft. Richardson, AK 99505

# "We are making a difference one life at a time."



The Alaska Military Youth Academy's Challe/VGe Program is designed to provide life coping skills and meet the educational needs of 16 to 19-year-old Alaskans who will not turn 20 prior to graduation. The Youth Challe/VGe program is a 24-week residential school with a 12-month post-residential aftercare/follow-up phase.



Cadets are instructed in the following Eight Core Components: Life Coping Skills, Academic Excellence, Job Skills, Responsible Citizenship, Leadership/Followership, Health & Hygiene, Physical Fitness, and Service to Community. In addition to these skills, cadets work toward the acquisition of a GED or High School Diploma.



Cadets enrolled in the Alaska Military Youth Academy's Challe/VGe Program are required to complete all three phases of the Academy and to become successful, productive members of the community.

## PRE-CHALLENGE PHASE

The program begins with the two-week Pre-Challe/VGe phase during which Candidates are assessed to determine their potential for successfully completing the entire program. This phase allows Candidates an opportunity to adjust to the physical, mental and social discipline of the program. The focus is on teamwork, close order drill, leadership and followership practicum, code of conduct, and physical training. Those candidates who successfully complete this phase earn the distinction of becoming a Cadet.

## RESIDENTIAL PHASE

The residential phase provides Cadets the opportunity to make basic lifestyle changes through a rigorous program of education, training, and service to community. During this phase, Cadets focus on the eight core components to develop the whole person in terms of mind, body and personal values. Emphasis is on self-discipline, self-esteem, education and development of healthy lifestyles.

## POST-RESIDENTIAL PHASE

The post-residential phase begins when graduates return to their communities and implement their individual life plan as developed during the residential program. Each graduate and their mentor maintain a caring and positive relationship for the 12 months following graduation. The link between mentoring and the academy's Eight Core Components make the Challe/VGe program unique and increases the chances for the continued success of its graduates.



PLEASE SEND ME MORE INFORMATION ON THE ALASKA MILITARY YOUTH ACADEMY NATIONAL GUARD CHALLENGE PROGRAM.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

I am interested in:  Applying  Mentoring  Donating  Employment  
 Anchorage Admissions Offices: 907.375.5556  
 Fairbanks Admissions Office: 907.374.7960

Toll-free: 877.242.5643