

SB

41

<TARGET><BILL>SB 41</BILL><SUBJECT>SB
41</SUBJECT><COMM>HEDC28</COMM></TARGET>

ALASKA STATE LEGISLATURE



SENATOR FRED DYSON
SENATE DISTRICT F

SPONSOR STATEMENT FOR SB 41

"An Act relating to student participation in interscholastic activities in religious and other private schools; and providing for an effective date."

SB 41 would amend current statutes to make participation in interscholastic activities at a non-public school available to a larger number of students who are otherwise not eligible to participate. This bill defines the eligibility rules for interscholastic activities for high school students enrolled full time in an alternative education program allowing qualified students to participate in interscholastic activity programs offered through a non-public school.

In 1997 the Alaska Legislature passed into law HB 158 which allowed for school children enrolled in private, correspondence or home school programs, to also enroll as part-time students in a school district.

In 2012 the Alaska Legislature passed SB 119 which allowed for high school children enrolled in an alternative education program to also participate in interscholastic activities available *at a public school*. As non-public (private) schools were not addressed in the law, the Alaska School Activities Association has recently advised home school parents that their children are ineligible to participate in high school interscholastic activities at a non-public school.

This was not the intent of the original bill sponsor of SB 119, and not consistent with the legislative efforts over the past two decades to increase opportunities for choice in education through alternative education programs and opportunities to support maximum student participation in interscholastic programs.

Staff Contact: Chuck Kopp, (907)465-2199

During Session (January - April): Alaska State Capitol • Juneau, Alaska 99801 • (800) 342-2199 • (907) 465-2199 • (907) 465-4587 (fax)

During Interim (May-December): • 12641 Old Glenn Highway, Suite 201, Eagle River, Alaska 99577 • (907) 694-6683 • (907) 694-1015 (fax)

Sen.Fred.Dyson@akleg.gov

ALASKA STATE SENATE



SENATOR FRED DYSON

Date: March 14, 2013

To: Representative Lynn Gattis, Chair
House Education Committee

From: Senator Fred Dyson

Re: Committee Hearing Request for SSSB 41

I respectfully request a committee hearing for SSSB 41, an Act relating to student participation in interscholastic activities; and providing for an effective date.

You may contact my staffer Joshua Banks at 465-8205 if you have any questions regarding this bill.

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During Interim (June-December): 10928 Eagle River Road, Suite 238 • Eagle River, Alaska 99577 • (907) 694-6683 • (907) 694-1015 (fax)

senator.fred.dyson@legis.state.ak.us • www.akrepublicans.org

AMENDMENT No. 1

OFFERED IN THE HOUSE
TO: SSSB 41

BY REPRESENTATIVE GATTIS

1 Page 1, following line 14:

2 Insert a new bill section to read:

3 **** Sec. 2.** AS 14.30.365(c)(1) is amended to read:

4 (1) "alternative education program" means a

5 (A) public secondary school that provides a nontraditional
6 education program, including the Alaska Military Youth Academy;

7 (B) [A] public vocational, remedial, or theme-based program;

8 (C) [A] home school program that is accredited by a
9 recognized accrediting body;

10 (D) [A] charter school authorized under AS 14.03.250 -
11 14.03.290;

12 (E) [AND A] statewide correspondence school that enrolls
13 students who reside outside of the district in which the student resides and
14 provides less than three hours a week of scheduled face-to-face student
15 interactions in the same location with a teacher who is certified under
16 AS 14.20.020; **and**

17 (F) home school program provided in a student's home by
18 the student's parent or legal guardian that qualifies for an exemption
19 from the compulsory attendance law under AS 14.30.010(b)(12):"

20

21 Renumber the following bill sections accordingly.

22

23 Page 2, line 27, through page 3, line 3:

- 1 Delete all material and insert:
- 2 "(1) "alternative education program" has the meaning given in
- 3 AS 14.30.365."



SENATOR FRED DYSON

Senate Bill No. 41

"An Act relating to student participation in interscholastic activities in religious and other private schools; and providing for an effective date."

Section Summary

Section 1

Sec. 14.30.365(a)

Strikes the word "*entirely*" so that alternative education programs that receive supplemental instruction from outside of the state will not be disqualified from interscholastic activities.

Section 2

Sec. 14.30.365(c)

Provides the definition for "*located in the state*" as an alternative education program that is accessed by a student located in the state and that provides for all instructional hours to take place at a site in the state.

Section 3

Sec. 14.45.150(a)

Provides that full-time students enrolled in grades 9 – 12 in an alternative education program located entirely in Alaska that does not offer interscholastic activities is eligible to participate in any interscholastic activities program available in a non-public school regulated under Alaska Statute, Title 14, Chapter 45 - *Private and Denominational Schools*.

Further provides that the student must be otherwise eligible to attend the school were the student not enrolled in an alternative education program; that the student requests to participate in interscholastic activities at the school, and the administrator of the school approves the request.

Sec. 14.45.150(b)

Provides that the student is eligible to participate in interscholastic activities if the student is eligible under requirements established by the school and the statewide interscholastic activities governing body; delivers to the school providing the interscholastic activities program required documentation (academic transcripts, proof of full-time enrollment, and medical and disciplinary records, if applicable); and claims the same school for all interscholastic activities during a school year.



SENATOR FRED DYSON

Sec. 14.45.150(c)

Provides definitions for "*alternative education program*", "*district*", "*full-time student*", and "*interscholastic activities*".

Section 4

States that this act will be effective starting on July 1, 2013.

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: SB 41
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SSSB041-EED-TLS-2-22-13
Title: SCHOOL SPORTS/INTERSCHOLASTIC
ACTIVITIES
Sponsor: DYSON
Requester: Senate Education

Department: Department of Education and Early Development
Appropriation: Teaching and Learning Support
Allocation: Student and School Achievement
OMB Component Number: 2796

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2014 Appropriation Requested | Included in Governor's FY2014 Request | Out-Year Cost Estimates | | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
| | | | FY 2014 | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Services | | | | | | | | |
| Commodities | | | | | | | | |
| Capital Outlay | | | | | | | | |
| Grants & Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

| | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

| |
|-----------------|
| Initial Version |
|-----------------|

| | | | |
|--------------|-----------------------------------|--------|---------------------|
| Prepared By: | Paul R. Prussing, Deputy Director | Phone: | (907)465-8721 |
| Division | Teaching and Learning Support | Date: | 02/22/2013 05:31 PM |
| Approved By: | Mike Hanley | Date: | 02/22/13 |
| | Commissioner | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. SSSB041

Analysis

This legislation allows a full time student to participate in interscholastic activities offered through a private or religious school if the alternative educational program that they are attending does not offer the activity.

There is no fiscal impact on the Department of Education & Early Development.

ALASKA STATE SENATE



SENATOR FRED DYSON

Sponsor Substitute for Senate Bill 41 Testimony

Senator Fred Dyson, District F – (907) 465-2199, Sen.Fred.Dyson@akleg.gov, In Person

Joshua Banks, Staff to Senator Dyson – (907) 465-8205, Joshua.Banks@akleg.gov, In Person

Gary Matthews, ASAA Executive Director – (907) 563-3723, garym@asaa.org, Anchorage LIO

Nate Davis, Administrator, Grace Christian School – (907) 644-2244, ndavis@gracechristianalaska.org, Anchorage LIO

Mary Rowley, Administrator, Cook Inlet Academy – (907) 262-5101, Off-Net

Suzanne Luiken, Homeschool Parent – (907) 382-1761, Anchorage LIO

Scott Merriner, Wrestling Coach – (907) 250-5582, scott.merriner@bearvallevak.net, Anchorage LIO

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senator.fred.dyson@akleg.gov • www.akrepublicans.org

February 22, 2013

Dear Senator Dyson:

Grace Christian School is in support of SB 41 as last presented. We believe in fair and equitable practices for both public and private schools. Since the public school version of this bill is already set to begin July 1, 2013, we believe private schools who are members of ASAA should also be included. Since the bill may be revised along the way with amendments, we do want to be specific about what we are endorsing.

Since private schools have a great variety of missions and site-specific considerations, it is imperative that the bill guarantee that each school be allowed to govern themselves and to be able to decide 1) if, indeed, they will participate in the program in any given year, and 2) under what set of parameters that participation shall be governed, including but not limited to a) admission standards, b) eligibility standards, c) numbers or ratios of home-school participants on teams, and d) the financial costs of that participation.

We do not believe that any public or private school should be using the program for any kind of undue influence in recruiting. We believe schools should be and will be up-front with the public about whether they are receiving home-school students for try-outs or not and under what parameters that participation shall occur.

Thank you for your consideration.

Respectfully,

Nate Davis
Superintendent
Grace Christian School



March 19, 2013

Office of Senator Fred Dyson
12641 Old Glenn Hwy, Suite 201
Eagle River, AK 99577

Re: Senate Bill 41

Senator Dyson,

Thank you for your sponsorship of Senate Bill 41. As the Administrator of a religious private school, this bill would be very beneficial to our school community. We currently participate in 1A/2A sporting events. We believe that sports bring another aspect to the important role of character development. The purpose of our program is to teach life skills that are needed to be successful. These skills include dedication, dependability, a commitment to team, selflessness, putting forth effort, learning to communicate well and handling both joy and disappointments with grace and dignity.

Our school community is closely connected with the many other alternative education programs. Many our families have students that are in both our school and/or an alternative school. Giving all these students the ability to participate in our sports program would be a benefit to both the school and the student.

As a small school we at times struggle with the numbers needed to produce a competitive team as well as a healthy sports program. I believe this bill would allow more students to experience the benefits and learn the life skills needed to become productive members of our society.

I appreciate the work you have done on this and your willingness to sponsor Senate Bill 41. Thank you again and I look forward to hearing about how the bill progresses in the Legislature.

Sincerely,

Becky Stringer
WLCS Administrator



ALASKA SCHOOL ACTIVITIES ASSOCIATION

4048 Laurel Street Suite 203 Anchorage, AK 99508 • PHONE: 907-563-3723 • FAX: 907-561-0720

March 21, 2013

RE: Senate Bill 41

House Education Committee
Alaska State Legislature

Dear Committee Members:

It is my understanding that the House Education Committee will be hearing SB 41 within the next week.

Alaska School Activities Association (ASAA) supports passage of this legislation. It makes sense to include private and religious schools as potential "schools of eligibility" for students enrolled in alternative education programs as defined under AS14.30.365. Many private/religious schools are already ASAA members and some wondered why there weren't included in SB 119 last year.

ASAA will amend our bylaws to ensure that the intent of SB 41 will become effective on July 1, 2013.

Please feel free to contact me at 907-563-3723 if I can provide additional information.

Respectfully,

Gary Matthews
Executive Director
Alaska School Activities Association, Inc.



HOLY ROSARY ACADEMY

K-12 Catholic School

March 19, 2013, Feast of St. Joseph

Senator Fred Dyson
State Capitol Room 121
Juneau, Alaska 99801

1010 W. Fireweed Lane
Anchorage, AK 99503

Main Office
(907) 276-5822

Office Fax
(907) 258-1055

Website
www.hraak.com

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Re: SB 41

Dear Senator Dyson:

It has come to our attention that later this month a hearing will be conducted for SB 41. On behalf of the Board of Trustees and the administration, of Holy Rosary Academy, I would like to express our wholehearted support for SB 41.

As an independent Catholic school member of the Archdiocese of Anchorage school system, Holy Rosary Academy is pleased to support legislation efforts such as SB 41 which increase and facilitate access to interscholastic activities including sports to students not enrolled in public schools.

SB 41 is well-crafted legislation which will grant homeschooling students the opportunity to participate in interscholastic activities at private schools, subject to the permission of the individual school. It provides opportunity while insuring that the private school itself retains the power to decline that permission. This will enable participation should both parties be willing, without obligating either the homeschooling student or the private school to such activity. It is hard to imagine a reasonable objection to such non-restrictive, non-imposing opportunity!

At present Holy Family Academy has several part-time students, some of whom are home-schooled, who participate in sports teams and other interscholastic activities at Holy Rosary Academy. This involvement has proved beneficial for both the students and our school as it increases the richness of the educational opportunities accessible to families in Alaska.

It is our fervent wish that you and your committee continue to advocate for homeschooling students and students of Catholic and other private schools as they pursue educational plans beyond the present scope of the public school system. To this end, a viable school voucher system is of the foremost importance.

Holy Family Academy appreciates your leadership in the area of education and looks forward to working with your office to promote the quality of education in Alaska for all of our students.

Sincerely in Christ,

A handwritten signature in cursive script that reads "Catherine Neumayr".

Catherine Neumayr
Principal
Holy Rosary Academy